

001/2004



ROBERT T. JOHNSON
DISTRICT ATTORNEY

**OFFICE OF THE
DISTRICT ATTORNEY
OF BRONX COUNTY**

<http://bronxda.net>

**851 GRAND CONCOURSE
BRONX, N. Y. 10451
590-2234**

— PRESS RELEASE —

Monday, January 5, 2004

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of 8 new Assistant District Attorneys.

The new ADAs began a one-week training program today under the supervision of Assistant District Attorney Cari E. Ferreiro, Director of Litigation Training. The intensive program combines courtroom observation with lectures in criminal court practice.

The following is the list of the new Assistants and their law schools:

- | | |
|-------------------------|--|
| Robert L. Baker, Jr. | Villanova University School of Law |
| Lynnanne C. Maurrasse | Pace University School of Law |
| Kathryn M. Mellusi | Brooklyn Law School |
| Hernandez M. Rhau | State University of New York @ Buffalo School of Law |
| Michelle R. Stalzer | University of Denver College of Law |
| Antonetta Stancu Danciu | Hofstra University School of Law |
| Tammy M. Vadasz | Tulane Law School |
| Matthew J. Vinciguerra | Albany Law School of Union University |

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— PRESS RELEASE —

Wednesday, January 7, 2004

**NEW YORK CITY POLICE OFFICER CHARGED WITH PERJURY,
FORGERY AND OTHER OFFENSES IN CONNECTION WITH ALLEGED EFFORTS
TO AVOID PAYING FINES ON PARKING TICKETS**

Bronx District Attorney Robert T. Johnson announced today that a New York City Police Officer has been arrested and charged with perjury and other offenses for allegedly trying to avoid paying fines for parking his car illegally.

Patrick Brown, 37, of the Bronx, has been indicted on nineteen counts of Perjury in the first degree, a class D felony offense; eleven counts of Offering a false instrument for filing in the first degree, a class E felony offense; eleven counts of Criminal possession of a forged instrument in the second degree, a class D felony offense; and seven counts of Falsifying business records in the first degree, a class E felony offense. Brown is facing a maximum sentence of up to seven years imprisonment on each count if convicted of the most serious class D felony offenses.

It is alleged that Brown committed perjury nineteen times, at Administrative Law Hearings at the Parking Violations Bureau, regarding summonses for parking tickets that were issued to his car. Brown, under oath, allegedly told the judge, on six different occasions, from 1999 through 2000, variations of an account in which he said he was forced to park illegally because his car had stopped running and had to be pushed to the side of the road until

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arrangements could be made to have it towed and repaired. At each hearing, Brown would produce a copy of an invoice from a service station for towing and repairs, as proof of his testimony, which resulted in a dismissal of the summons.

The pattern subsequently was referred to The New York City Department of Finance for investigation when it aroused the suspicion of one of the Administrative Law Judges at the Parking Violations Bureau. Investigators followed the paper trail to the R& M Auto Service Center at 1225 E. 233rd Street, the Bronx. The owner denied that the receipts had been issued by his business. Investigators further learned that in some instances, the defendant allegedly had submitted copies of the same receipt to the PVB, after altering the date on the receipt to match the date on which he had received a particular summons. As a result of the investigation the Department of Finance referred the matter to the Bronx District Attorney's Office and the NYPD's Internal Affairs Bureau. The City also initiated a civil action against the defendant to collect the fines and penalties owed on the parking violations.

The defendant, Patrick Brown, has been a New York City Police Officer since June 30, 1995 and is assigned to the 47th Precinct.

Senior Trial Assistant District Attorney Donald Levin, of the Investigations Division, is prosecuting the case.

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— PRESS RELEASE —

Friday, January 9, 2004

**GRAND JURY INDICTS BRONX MAN FOR ALLEGEDLY SLASHING HIS
WIFE TO DEATH**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted Ivor Forbes, 32, on murder charges, for allegedly slashing his 34 year-old wife to death last December.

Forbes, of 2199 Holland Avenue, was indicted on two counts of Murder in the 2nd degree and two counts of Criminal Possession of a Weapon in the 4th degree in the death of his wife Keisha Denton. The grand jury filed the murder charges under two different legal theories. Under one theory, Forbes "intentionally" caused the death of his wife. Under the second, Forbes is charged with causing her death "in a manner evincing a depraved indifference to human life". Forbes is facing a maximum term of 25 years to life imprisonment if convicted of the murder charges.

Forbes, currently hospitalized, is being held without bail and scheduled to be arraigned on the indictment in Bronx State Supreme Court, Part F, on Thursday, January 22, 2004.

Forbes allegedly slashed Denton, numerous times with a sword in their first floor apartment on December 7, 2003. New York City Police Officers responding to the scene wounded the defendant who still held the weapon and was covered in blood. Forbes was taken into custody, and transported to the hospital. Denton was pronounced dead at the scene.

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This case is being prosecuted by Senior Trial Assistant District Attorney Bruce Birns of the Domestic Violence Bureau.

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— PRESS RELEASE —

Friday, January 16, 2004

**GRAND JURY INDICTS 15 YEAR-OLD BOY ON CHARGES OF MURDER AND
ARSON IN THE DEATHS OF TWO BRONX WOMEN**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted Mohammad Hasan, 15, on charges of murder and arson, for allegedly setting the fire that killed Maria Cruz, 41, and Brenda Casanova, 20, last December.

Hasan, a.k.a. "Zobaer", of 1437 Doris Street, was indicted on two counts of Murder in the 2nd degree, "in a manner evincing a depraved indifference to human life", one count of Arson in the 1st degree, and one count of Reckless endangerment. If convicted of the most serious charge of murder, Hasan as a juvenile, faces a maximum term of 9 years to life imprisonment.

The People did not submit the charge of Murder in the 1st degree, as it is reserved for defendants 18 years of age and older.

Hasan is currently being held without bail, and is scheduled to be arraigned on the indictment in Bronx State Supreme Court, Part JV, on Thursday, February 5, 2004.

On December 30, 2003, Hasan allegedly poured a flammable substance in the hallway of 1437 Glover Street, and set fire to it, causing the deaths of Cruz and Casanova. Two other

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occupants, Anthony Alicea, 2, and Carlos Casanova, 17, were critically injured from smoke inhalation. A fifth occupant, Itzel Casanova, 19, suffered a broken pelvis while trying to escape the fire that destroyed the building.

Senior Trial Assistant District Attorney Jeffrey Glucksman of the Arson / Economic Crime Bureau is prosecuting this case.

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— PRESS RELEASE —

Tuesday, January 20, 2004

**TWENTY THREE YEAR OLD BRONX MAN PLEADS GUILTY TO FIRST
DEGREE MURDER IN THE STABBING DEATH OF HIS FIFTY SIX YEAR OLD
NEIGHBOR**

Bronx District Attorney Robert T. Johnson announced today that a Bronx man has been convicted of stabbing his neighbor to death and burglarizing her home in November 2001.

Kevin Whaley, 23, of 1055 Sherman Avenue, pled guilty to one count of Murder in the 1st degree in the death of Betty Johnson, 56, on November 9, 2001.

State Supreme Court Justice Troy Webber set sentencing for Friday, March 5, 2004 in Part M40. The judge has indicated that Whaley would receive a sentence of 22 years to life imprisonment.

The victim lived alone and was preparing to attend a Friday evening church service when she was murdered. Whaley admitted that he accosted Johnson as she was entering her apartment and pushed her inside. After stabbing the woman numerous times, Whaley ransacked the apartment before fleeing. Johnson's body was discovered three days later by relatives who went to the apartment to check on her after not hearing from her for several days. Johnson's body was found near the front door wrapped in plastic garbage bags.

Whaley was arrested and charged with the murder on December 10, 2001 after detectives,

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during a search of the building, found blood stained clothing that was identified as belonging to the defendant. The defendant became a target of the investigation when the victim's relatives told police that Johnson had expressed concern about Whaley loitering near her apartment door on a number of occasions for no apparent reason. The case is being prosecuted by Assistant District Attorney Daniel McCarthy, Chief Trial Counsel and Director of Trial Training.

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— PRESS RELEASE —

Thursday, January 22, 2004

**HEROIN WHOLESALE DISTRIBUTION RING SHUT DOWN -- GRAND JURY
INDICTS TWELVE PEOPLE FOLLOWING EIGHT MONTH INVESTIGATION**

Bronx District Attorney Robert T. Johnson announced today the arrests and indictment of twelve alleged members of a two and a half million dollar a year heroin wholesale distribution ring. These arrests were the result an eight month joint investigation by the Bronx District Attorney's Office and the NYPD Bronx Narcotics Division's Major Case Squad.

The grand jury has returned two indictments containing a total of twenty eight counts. All twelve suspects have been charged with Conspiracy in the second degree, a Class B felony offense, for allegedly trafficking in heroin.

Seven of the twelve people arrested have also been indicted on more serious drug related charges including Criminal sale and Criminal possession of a controlled substance in the first degree. Both crimes are Class A felony offenses, punishable by a maximum sentence of up to life imprisonment. Other charges in the indictments include Criminal sale of a controlled substance in the second degree, a Class B felony offense, and Criminal sale of a controlled substance in the third degree, a Class C felony offense. A Class B felony offense carries a maximum sentence of up to twenty five years imprisonment, while a Class C felony is punishable by up to fifteen years in prison.

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The defendants allegedly belonged to a heroin distribution ring that, during the bulk of the investigation, used a house located at 2009 Cruger Avenue, the Bronx, as the organization's base of operations where the heroin was stashed, and where some drug sales occurred. Investigators believe that the ring supplied heroin dealers with 850 grams of the illegal drug each week. Evidence was uncovered indicating that the organization was headed by two brothers, Manuel Rosantes, 33, of 124 East 176th St., the Bronx, and Luis Alberto Then, 37, of 326 Audubon Ave., N.Y., N.Y.

Detectives, working undercover, purchased heroin from the defendants on seven different occasions during the course of the investigation, which also relied on the use of telephone wiretaps and other surveillance techniques. Some of the drug sales occurred at the Cruger Avenue "stash house". Other undercover "drug buys" occurred in Manhattan at the Mi Tierra Restaurant, at 1628 St. Nicholas Avenue in Washington Heights. The restaurant location was also used as a meeting place where the drug deals were negotiated. Altogether, undercover detectives purchased a total weight of 400 grams of heroin and 150 grams of cocaine during the investigation. Another 600 grams of heroin was seized when an alleged courier or so called "mule" was arrested while attempting to deliver the heroin that he had smuggled into the country from the Dominican Republic. Investigators also confiscated another 60 grams of heroin and two pounds of crystal methamphetamine during the execution of search warrants late yesterday afternoon as the defendants were being taken into custody.

The defendants were arraigned today in State Supreme Court, Part A. All were ordered

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held without bail.

District Attorney Johnson thanked the NYPD Bronx Narcotics Division Major Case Unit for the hard work and dedication that resulted in these indictments. Mr. Johnson also thanked members of his own Major Case Unit, Assistant District Attorneys Edward Talty, Chief, Edward Friedenthal, Counsel, and Dana Roth who is prosecuting the case.

Arrested are the following defendants:

<u>Defendant</u>	<u>Address</u>	<u>Date of Birth</u>
Manuel Rasantos	124 East 176 th St., Bronx, N.Y.	June 03, 1970
Elizabeth Holguin	124 East 176 th St., Bronx, N.Y.	July 08, 1981
Luis Then	326 Audubon Ave., N.Y., N.Y.	September 03, 1966
Ruth Castillo	326 Audubon Ave., N.Y., N.Y.	March 02, 1973
Julio Hernandez	10-22 Fairview Ave., N.Y., N.Y.	July 05, 1981
Junior Perez	325 East 194 th St., Bronx, N.Y.	April 20, 1978
Alberto Rodriguez	2182 Barnes Ave., Bronx, N.Y.	November 13, 1962
Oscar Medina	449 Audubon Ave., N.Y., N.Y.	January 18, 1980
Michelle Estevez	573 W. 191 st St., N.Y., N.Y.	August 08, 1982
Victor Manuel Collado	577 W. 187 th St., N.Y., N.Y.	June 09, 1963
Felix Quesado	501 W. 171 st St., N.Y., N.Y.	August 15, 1980
Charles Gonzalez	570 W. 189 th St., N.Y., N.Y.	April 02, 1970

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— PRESS RELEASE —

Friday, January 23, 2004

**BRONX MAN IS SENTENCED TO A TERM OF UP TO LIFE IMPRISONMENT
FOR THE MURDER OF AN OFF DUTY NARCOTICS DETECTIVE**

Bronx District Attorney Robert T. Johnson announced today that 29 year-old Luis Gonzalez, a.k.a. Luis Gomez has been sentenced to a term of up to life imprisonment for the murder of off duty narcotics detective Jaime Betancourt, 34, in March 2002.

Acting State Supreme Court Justice William Mogulescu sentenced Gonzalez, of 363 Pacific Street, New Jersey, to a term of 15 years to life imprisonment. Gonzalez pled guilty to one count of Intentional Murder in the 2nd degree last December. The people recommended a term of twenty years imprisonment.

Betancourt was stabbed in the chest and killed when he intervened in a dispute between his girlfriend and Gonzalez, the woman's ex-boyfriend, and father of her child at the woman's apartment, on March 31, 2002.

Gonzalez fled immediately after the homicide and eluded police for nine days before he was taken into custody in Miami, Florida.

Chief Trial Counsel Assistant District Attorney Daniel McCarthy and Assistant District Attorney Maria Rivero, prosecuted this case.

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— PRESS RELEASE —

Friday, January 23, 2004

**GRAND JURY CHARGES 21 YEAR OLD PAROLEE WITH THE ATTEMPTED
MURDER OF A NEW YORK CITY POLICE OFFICER ONLY HOURS AFTER HIS
RELEASE FROM PRISON**

Bronx District Attorney Robert T. Johnson announced today that a twenty one year old man has been indicted for the attempted murder of a New York City police officer on New Year's Eve, only hours after his release from the Greenhaven State Correctional Facility after serving a two year sentence for attempted robbery.

The grand jury indicted Kevin Carroll on charges of Attempted Murder in the first degree, Attempted Murder in the second degree, Attempted Aggravated Assault on a police officer, Attempted Assault in the first degree, Attempted Robbery in the second degree, Attempted Assault in the second degree, Assault in the third degree, Reckless Endangerment in the second degree, Attempted Criminal Possession of a Weapon in the third degree, and Resisting Arrest.

The incident occurred on December 31, 2003 on a platform at the IRT subway station at the Grand Concourse and East 149th Street. Carroll, who had just returned to the City following his release from prison that morning, allegedly was annoying passengers when Police Officer Soraya Batista warned him to stop and asked for identification. It is alleged that Carroll threw Batista on the ground, grabbed at her service revolver and, during the struggle, attempted to push

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her onto the tracks into the path of an approaching train. A number of other police officers responded, some of whom suffered minor injuries, before managing to subdue the defendant and place him under arrest. The injured officers, in addition to Batista, were P.O. Madeline Cruz, P.O. Mario DeLeon and P.O. Victor Jimenez of Transit District Eleven.

The case is being prosecuted by Assistant District Attorney Maureen Gorman-Phelan.

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— PRESS RELEASE —

Wednesday, January 28, 2004

NORTH BERGEN, NEW JERSEY POLICE OFFICER AND THREE OTHERS
CHARGED WITH INSURANCE FRAUD FOLLOWING STING OPERATION BY
BRONX DISTRICT ATTORNEY AND NYPD AUTO CRIME DIVISION

Bronx District Attorney Robert T. Johnson announced today that four New Jersey residents have been arrested and charged with insurance fraud and grand larceny for allegedly filing insurance claims after falsely reporting their vehicles as stolen.

One of the four defendants, Ricardo Figueroa, 35, of Patterson, is a North Bergen, New Jersey Police Officer. Figueroa has been charged with Insurance fraud in the third degree and Grand larceny in the third degree. It is alleged that Figueroa falsely reported his model year 2000 BMW323ci stolen on June 6, 2001 which resulted in the payment of a claim of \$31,800 by State Farm Insurance Company.

Martha Mina-Diaz, 35, of Patterson, New Jersey, has been charged with Insurance Fraud in the third degree and Attempted grand larceny in the third degree. Mina-Diaz was charged with filing a claim with Colonial Penn Insurance Company after reporting that her 1994 Jeep Grand Cherokee had been stolen. However, the insurance company had concerns about something in the paperwork and never paid the claim.

Francisco Lopez, 33, of Newark, New Jersey, has been charged with Insurance fraud in the third degree and Grand larceny in the third degree. Lopez allegedly collected \$21,500 from

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— PRESS RELEASE —

State Farm Insurance Company after filing a stolen car report on his 1999 model Mazda Millenium.

Ricardo Medina, 33, of Newark, New Jersey was paid \$21,000 on a claim filed with State Farm Insurance Company, after allegedly reporting as stolen, his 1999 model Honda Accord. Medina has also been charged with Insurance fraud in the third degree and Grand larceny in the third degree.

Insurance fraud in the third degree and Grand larceny in the third degree are both Class D felony offenses punishable by a maximum sentence of up to seven years imprisonment. Attempted grand larceny in the third degree is a Class E felony offense punishable by a maximum sentence of up to four years imprisonment.

All four defendants surrendered with their attorneys and were released on their own recognizance.

The arrests were the result of a fifteen month joint investigation with the New York City Police Department's Organized Crime Control Bureau's Auto Crime Division. Further arrests are expected. The cars were turned over to undercover investigators who were posing as people who "could make the vehicles disappear", by changing the vehicle identification number and exporting the cars for re-sale in a foreign country. Once the undercover detectives had taken physical custody of the cars, the owners were instructed to wait three days before reporting the vehicles as stolen.

The case is being prosecuted by Assistant District Attorney William Zelenka, Deputy Chief Arson / Auto / Economic Crime Bureau.

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— PRESS RELEASE —

Friday, February 6, 2004

**FORMER CHIEF FINANCIAL OFFICER FOR A MANUFACTURING
COMPANY PREVIOUSLY BASED IN THE BRONX HAS BEEN INDICTED FOR
EMBEZZLING NEARLY \$400,000**

Bronx District Attorney Robert T. Johnson announced today that a 2 year investigation by the Bronx DA Detective Investigators has uncovered an embezzlement scheme by a 52 year-old former Chief Financial Officer of S&S Industries, an associate of the Wonder Bra company, previously located at 385 Gerard Avenue, totaling nearly \$400,000 in misappropriated funds.

A grand jury has indicted Robert Washko, of 197 Sports Mana Avenue, Freeport, L.I., and charged him with 1 count of Grand larceny in the 2nd degree, a class "C" felony offense, and 1 count of Criminal possession of stolen property in the 2nd degree. If convicted, of the most serious charge of larceny, Washko faces a maximum term of up to 15 years imprisonment.

It is alleged that Washko, whose salary was purported to be between \$75,000 - \$85,000, began to embezzle a total of \$397,584 in January 1998 continuing undetected until May 1999, from the payroll system for which he had complete control. The scheme was uncovered following Washko's departure from the company. The new Chief Financial Officer ordered an audit and discovered the discrepancies. The audit concluded that Washko misappropriated payroll funds over a period of fifteen months by making double payroll direct deposit payments to himself in amounts

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that varied from \$5,000 to \$30,000. Also uncovered during the investigation were two unauthorized wire transfers, each totaling more than \$80,000.

Mr. Johnson thanked the following members of S&S Industries for their help with this case; Joseph Horta, President and Richard Meadow, Chief Financial Officer. Mr. Johnson also acknowledged the hard work of the U.S. Secret Service, the Bronx District Attorney's Senior Detective Investigator Peter Moro and Detective Investigator Frank Chiara.

Assistant District Attorney Linda Tacoma of the Arson / Economic Crime Bureau is prosecuting this case.

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— PRESS RELEASE —

Tuesday, February 11, 2004

**GRAND JURY INDICTS EX-CON ON CHARGES OF ATTEMPTED MURDER,
ATTEMPTED BURGLARY AND OTHER RELATED CHARGES**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted 45 year-old Andre Shobey on charges of attempted murder, attempted burglary and other related charges for shooting two people and attempting to burglarize a third.

Shobey, of 630 Riverside Drive, Manhattan, appeared before Acting State Supreme Court Justice John N. Byrne to be arraigned on the following charges: 2 counts of Attempted Murder in the 2nd degree, 2 counts of Attempted Assault in the 1st degree, 2 counts of Attempted Burglary in the 1st degree, 2 counts of Criminal possession of a weapon in the 2nd degree, 1 count of Assault in the 2nd degree, 1 count of Criminal possession of a weapon in the 3rd degree, and 1 count of Menacing in the 2nd degree, however, a competency hearing was requested and the arraignment will be postponed until Monday, March 15, 2004.

If convicted of the most serious charge of attempted murder, Shobey, a mandatory persistent violent felony offender, faces a maximum term of 25 years to life imprisonment.

Shobey's alleged crime spree began during the morning of January 21, 2004, as he entered 1460 Washington Avenue, and approached his first victim Monique Singleton, 26. Singleton was entering her apartment with groceries when the defendant pointed a silver handgun at her head and

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demanded entry to her apartment. The victim managed to close and lock her door without further incident. It is alleged that Shobey then fled to the adjacent building at 1420 Washington Avenue where he encountered Aida Soumah, 28. Soumah had just dropped off her child and noticed the defendant as she approached the elevators. Shobey pulled out a silver handgun and led Soumah back towards the apartment and demanded entry to her sister's apartment. A third victim, Devon Williams, 16, was also in the hallway attempting to visit the apartment adjacent to Soumah's when Shobey pointed the gun at Williams's head and fired one shot. Williams was grazed in the neck. Shobey then turned to Soumah and shot her once in the head. The bullet entered Soumah's head and lodged in her neck.

Shobey was later arrested in Manhattan. A silver handgun with four live rounds and two shell casings was in his possession at the time of his arrest.

Assistant District Attorney Lawrence Piergrossi of the Trial Bureau is prosecuting this case.

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— PRESS RELEASE —

Friday, February 13, 2004

**JURY CONVICTS A BRONX MAN OF MANSLAUGHTER AND OTHER
RELATED CHARGES IN THE 2002 SHOOTING DEATH OF A 26 YEAR-OLD
ANOTHER BRONX RESIDENT**

Bronx District Attorney Robert T. Johnson announced today that a 27 year-old Bronx man has been convicted of manslaughter and other related charges in the death of a 26 year-old Bronx resident.

Julio Alvarez, of 243 Third Avenue, was found guilty of Manslaughter in the 1st degree in the shooting death of Danny Colon on April 6, 2002. Alvarez was also convicted of 2 counts of Assault in the 1st degree and 1 count of Criminal possession of a weapon in the 2nd degree. The victims of the assault were Manny Colon, 17, and Aramis Fournier, 21. State Supreme Court Justice Edward M. Davidowitz set sentencing for Thursday, March 18, 2004, in Part T9. Alvarez faces a maximum term of up to 25 years imprisonment.

The jury heard testimony that the fatal shooting was the result of an ongoing dispute between Alvarez and the deceased. Eyewitnesses testified that they saw Alvarez and an accomplice jump out of a car on Bryant Avenue, yell something at the deceased, who was walking with Manny Colon and

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Fournier, and started shooting. Eyewitnesses further testified that Alvarez and his accomplice jumped back in the car and fled.

Colon later succumbed to multiple gun shot wounds at Lincoln Hospital, Fournier was shot once in the shoulder, and Manny Colon was shot once in each leg.

Assistant District Attorney Meredith Holtzman of the Gangs / Major Case Bureau prosecuted this case.

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— PRESS RELEASE —

Thursday, February 19, 2004

**NEW JERSEY MAN IS SENTENCED TO THE MAXIMUM ALLOWABLE
TERM OF 25 YEARS IMPRISONMENT FOR THE MANSLAUGHTER OF A BRONX
MAN**

Bronx District Attorney Robert T. Johnson announced today that a 22 year-old New Jersey man has been sentenced to a term of 25 years imprisonment for stabbing his cousin's boyfriend to death.

Michael Potter, of 18 Hindsdale Lane, Willingboro, New Jersey, was found guilty of Manslaughter in the 1st degree last January 29, 2004, for stabbing Donnell McClain, 23, to death on April 14, 2002.

State Supreme Court Justice Harold Silverman sentenced Potter to the maximum allowable term of 25 years imprisonment, with five years of post release supervision.

The fatal stabbing occurred when Potter became involved in an argument that his cousin Tamyko George was having with McClain her boyfriend, about her going out that night. The argument escalated into a fistfight between Potter and McClain. Eyewitnesses testified that when the fighting stopped Potter took a knife and stabbed McClain repeatedly. An examination by the medical examiner concluded that the victim had been stabbed ten times

Assistant District Attorney's Merlin K. Thomas and Nikki R. Harding of the Narcotics Bureau prosecuted this case.

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— PRESS RELEASE —

Tuesday, February 24, 2004

**BRONX MAN IS SENTENCED TO 40 YEARS IMPRISONMENT FOR RAPE,
SODOMY, ROBBERY AND BURGLARY**

Bronx District Attorney Robert T. Johnson announced today that a 25 year-old Bronx man has been sentenced to a term of 40 years imprisonment for sexually assaulting three young women and the attempted rape and robbery of a fourth in the Soundview section of the Borough.

Jason Rivera, of 1261 Fteley Avenue, a.k.a. Jay Love, pled guilty last week to 2 counts of Rape in the 1st degree, 2 counts of Sodomy in the 1st degree, 1 count of Attempted Rape in the 1st degree, and 1 count of Robbery in the 1st degree.

Under the terms of the plea agreement, State Supreme Court Justice Joseph Fisch sentenced Rivera to four consecutive terms of 10 years imprisonment on the charge of two counts of rape, one count of sodomy and one count of robbery. In addition, Rivera was also sentenced to a concurrent term of 10 years imprisonment for one count of sodomy, and a concurrent term of 5 years imprisonment for the charge of attempted rape with 5 years post release supervision.

The first incident occurred on April 1, 2002, when Rivera grabbed a 13 year-old victim around her neck as she walked along Morrison Avenue. The defendant shoved the victim in between two houses and raped her.

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The second incident occurred on January 5, 2003 as a 15 year-old victim walked along Manor Avenue, when the defendant wrapped a scarf around her neck and dragged her into an alleyway, and raped and sodomized her.

The third incident occurred on May 12, 2003 when Rivera brandished a silver handgun, pulled a 21 year-old into a vacant lot and demanded her money. The victim gave Rivera \$41. The defendant ordered her to her knees where he forced her to have oral sex.

The fourth incident occurred on August 16, 2003 when Rivera held a gun to a 23 year-old victim's head on the corner of Watson and Morrison Avenues and forced her into a nearby park. The victim said that she did not have any money, then Rivera snatched her necklace and told her he wanted sex. The victim screamed and the defendant fled. The victim alerted the police and Rivera was apprehended a short time later with a gun and necklace in his possession.

This case was prosecuted by Assistant District Attorney Mimi Mairs of the Child Abuse / Sex Crimes Bureau.

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— PRESS RELEASE —

Thursday, February 26, 2004

**19 YEAR OLD BRONX MAN CONVICTED OF MURDERING FELLOW
'BLOODS' GANG MEMBER IN TURF DISPUTE OVER CRACK COCAINE SALES**

Bronx District Attorney Robert T. Johnson announced today that a nineteen year old member of the "Bloods" street gang has been convicted of Murder in the 2nd degree, and Criminal possession of a weapon in the 2nd degree, in the shooting death of a fellow gang member because of a turf dispute over sales of crack cocaine.

Michael Burgess, of 3400 Paul Avenue, the Bronx, was found guilty of shooting Jason Earl Russell, 18, once in the head on September 9, 2002. A co-defendant, Lamar Conner, 22, of 120 Dreiser Loop, Co-op City, last month pled guilty to Manslaughter in the 1st degree for his role in the fatal shooting.

State Supreme Court Justice Richard Price set sentencing for both defendants on Wednesday, March 10, 2004 in Part T-16. Burgess is facing a maximum sentence of up to 25 years to life imprisonment on the murder charge and up to 15 years imprisonment on the weapons charge. Conner, under terms of the plea agreement, will be sentenced to 13 and a half years imprisonment on the manslaughter conviction.

Russell was gunned down on the steps in front of 2427 Webster Avenue as he was entering the building. Both Burgess and Conner opened fire from the window of a second floor

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apartment leaving a single 9 millimeter bullet lodged in the dead man's brain. Although all three men were "Bloods" gang members, Russell belonged to a Manhattan based faction and had encroached on the defendants' turf in selling crack cocaine. The jury heard testimony that Russell was murdered in order to eliminate the competition for profits from illegal drug sales.

This is the first gang motivated homicide case prosecuted by the recent merged Gang Initiative and Major Case Bureau. The case is being prosecuted by Assistant District Attorney Christine Scaccia, Director of Gang Prosecutions, and Assistant District Attorney Christiana Stover.

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— PRESS RELEASE —

Friday, February 27, 2004

**UNEMPLOYED FATHER OF TWO YOUNG CHILDREN HELD ON FIFTY
THOUSAND DOLLARS BAIL FOLLOWING ARREST FOR TRAFFICKING IN CHILD
PORNOGRAPHY ON THE INTERNET**

Bronx District Attorney Robert T. Johnson announced today that a thirty three year old man has been arrested and charged with possessing child pornography following an investigation by the New York City Police Department's Computer Crime Squad.

Michael Sanchez, of 454 East 148th Street, was charged with eight counts of Possessing a sexual performance by a child, a Class E felony offense punishable by a maximum sentence of four years imprisonment on each count. Bail for Sanchez was set at \$50,000 by Criminal Court Judge Robert Torres.

Sanchez, married and the father of a four year old daughter and ten year old son, was arrested at his home where police executed a search warrant and seized three computers, and a quantity of compact discs and floppy discs. The confiscated material is under going forensic analysis.

Authorities began investigating Sanchez after being contacted by the National Center For Missing and Exploited Children (NCFMEC) which had examined images that Sanchez allegedly had uploaded to a Yahoo Internet site. Sanchez came under scrutiny because Yahoo monitors all

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material uploaded to its sites and notified NCFMEC. NCFMEC determined that the material was child pornography and contacted the New York City Police Department.

The case is being prosecuted by Assistant District Attorney Ameenah Karim of the Arson/Auto/Economic Crime Bureau.

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— PRESS RELEASE —

Friday, February 27, 2004

**NEW JERSEY MAN INDICTED IN CONNECTION WITH HIGH SPEED CAR
CHASE**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has charged a 39 year old man with reckless endangerment for allegedly leading police on a high speed car chase that began in New Jersey and ended in the Bronx where the defendant was arrested.

Glen Grossman, of Pennington, New Jersey, was indicted on one count of Reckless endangerment in the first degree, a Class "D" felony offense, and one count of Reckless endangerment in the second degree, a Class "A" misdemeanor. The more serious felony charge is punishable by a maximum sentence of up to seven years imprisonment.

The incident occurred on February 20, 2004 when, according to court papers, the arresting officer saw the defendant make an illegal U-turn and began to follow him. The officer said he recognized the license plate number on the defendant's car because of police radio transmissions about the car chase earlier in the evening. The defendant allegedly began weaving in and out of traffic while speeding, without signaling and at one point drove onto the sidewalk on East 149th Street, forcing pedestrians to jump out of the path of the approaching car. Grossman was taken into custody when he stopped his car near Southern Boulevard and East 144th Street after driving through a red light.

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Grossman is scheduled to be arraigned on the indictment on March 16, 2004 in State Supreme Court, Part A. He is being held in lieu of \$25,000 bail. Grossman could be facing additional charges in the Bronx as well as charges in New Jersey and Westchester County, New York.

The case is being prosecuted by Assistant District Attorney Elizabeth Mignone.

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— PRESS RELEASE —

Monday, March 1, 2004

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of 9 new Assistant District Attorneys.

The new ADAs began a one-week training program under the supervision of Assistant District Attorney Cari E. Ferreiro, Director of Litigation Training. The intensive program combines courtroom observation with lectures in criminal court practice.

The following is a list of the new Assistants and their law schools:

Rasheeda Baksh	Thomas M. Cooley Law School
Susan Baumgartner	New York University School of Law
Gregory Cho	University of Iowa College of Law
Jennifer Cruz	New York Law School
Michael Fanelli	New York Law School
Nadia Lescott	Thomas M. Cooley Law School
Jennifer Negron	Benjamin N. Cardozo School of Law
Maureen Sheehan	Duquesne University School of Law
Jacob Zissu	Catholic University, Columbus School of Law

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— PRESS RELEASE —

Tuesday, March 2, 2004

**MAN ARRESTED FOLLOWING TELEPHONED THREATS AGAINST MAYOR
BLOOMBERG FACING ONE YEAR IN JAIL AFTER PLEADING GUILTY TO GUN
POSSESSION CHARGE**

Bronx District Attorney Robert T. Johnson announced today that a 38 year old man who threatened Mayor Bloomberg, during a telephone conversation with a 311 operator, has pled guilty to a gun possession charge..

Awilia YaYa, of 1560 White Plains Road, the Bronx, pled guilty to a single count of Attempted Criminal Possession of Weapon in the third degree, a Class E felony offense. Under terms of the plea agreement YaYa will be sentenced to one year in jail when he next appears before Criminal Court Judge Robert Torres on March 15, 2004 in Part F. The judge also issued a permanent order of protection directing the defendant to avoid close proximity to the Mayor and to not attempt to reach Mr. Bloomberg by telephone.

YaYa was arrested on February 18, 2004 after threatening Mayor Bloomberg while speaking with a New York City 311 hotline operator on February 18, 2004. When police responded to the defendant's basement apartment, they found the door open, took YaYa into custody and recovered a .38 caliber revolver.

Assistant District Attorney Richard Kearney is prosecuting the case.

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— PRESS RELEASE —

Thursday, March 4, 2004

**GRAND JURY INDICTS NINE PEOPLE IN CONNECTION WITH A HEROIN
WHOLESALE DISTRIBUTION RING**

Bronx District Attorney Robert T. Johnson announced today the arrests and indictment of nine members of a 1.5 million dollar a year heroin distribution ring. These arrests were the result of a five-month joint investigation by the Bronx District Attorney's Office and the NYPD Bronx Narcotics Division's Major Case Squad.

The grand jury has returned a thirty count indictment charging seven of the nine suspects with two counts of Conspiracy in the 1st degree, a Class "A-I" felony offense punishable by a minimum term of fifteen years to life imprisonment, and a maximum term of 25 years to life imprisonment. These counts allege trafficking in heroin while involving two juveniles in the operation.

All nine defendants have also been charged with one count of Conspiracy in the 2nd degree, a Class "B" felony offense; two counts of Conspiracy in the 3rd degree, a Class "D" felony offense; one count of Conspiracy in the 4th degree, a Class "E" felony offense; two counts of Criminal sale of a controlled substance in the 2nd degree, a Class A-II felony offense; twenty counts of Criminal sale of a controlled substance in the 3rd degree, a Class B felony offense; and two counts of Criminal possession of a controlled substance in the 3rd degree, a Class B felony offense. Two of the nine

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defendants are facing a maximum sentence of up to 25 years to life imprisonment if convicted of the most serious Class A-II felony charge.

It is alleged that the defendants acted in concert to stash and distribute heroin throughout the Tremont section of the Bronx, using an apartment in a building located at 1967 Marmion Avenue, as the organization's base of operations. It is further alleged that sales usually occurred either in the lobby or on the street in front of the building.

Undercover detectives, according to the indictment, purchased narcotics from the defendants on twenty-one different occasions from September 2003 through February 2004. A search warrant executed at 1183 East Tremont Avenue, resulted in the seizure of 45 grams of crack cocaine, 22 bundles of heroin, a digital scale, fifteen hundred small glassine bags used to package narcotics, and \$8,100 in U.S. currency.

Seven of the defendants were arraigned today in State Supreme Court, Part A, and were ordered held without bail. Two defendants named in the indictment are already in jail on unrelated charges and will be arraigned next week in Part A.

New York City Police Commissioner Raymond W. Kelly said: "These individuals ran a criminal distribution ring that sold heroin throughout the Tremont section of the Bronx. Thanks to the courageous efforts of our undercover detectives, as well as the diligent teamwork that went in to this multi-agency operation, we have put these dangerous criminals behind bars and restored a sense of safety to the residents of this neighborhood. Throughout this investigation, our officers did an outstanding job of tracking these individuals, gathering evidence, and finally bringing them to

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justice.”

District Attorney Johnson thanked the NYPD Bronx Narcotics Division Major Case Unit for the hard work and dedication that resulted in these indictments. Mr. Johnson also thanked the members of his own Gang / Major Case Bureau, Assistant District Attorneys Edward Talty, Chief, Edward Friedenthal, Counsel, Christine Scaccia, Director of Gang Prosecutions, and Assistant District Attorneys Meredith Holtzman and Pamela Pannes who are prosecuting the case.

Arrested are the following defendants:

<u>Defendant</u>	<u>Address</u>	<u>Date of Birth</u>
Kenneth Quinones	1183 East Tremont Avenue	2/25/82
Samuel Diaz	2000 Prospect Avenue	8/4/56
Taisha Ruiz	1183 East Tremont Avenue	4/14/84
Silverio Gomez	1967 Marmion Avenue	6/20/65
Francisco Puello	1971 Marmion Avenue	12/6/85
Enrique Carradero	1967 Marmion Avenue	3/20/86
Jose Perez	805 Fairmont Avenue	1/29/87
Jimmy Rosas	1967 Marmion Avenue	11/21/81
Kelvin Aguilar	1981 Marmion Avenue	11/25/76

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— PRESS RELEASE —

Thursday, March 18, 2004

BRONX MAN IS FOUND GUILTY OF MURDER

Bronx District Attorney Robert T. Johnson announced today that a 25 year-old Bronx man has been convicted of murder in the stabbing death of a 24 year-old man in July 2002.

A jury found Steven Sanchez, of 1602 Taylor Avenue, guilty of Murder in the 2nd degree, "in a manner evincing a depraved indifference to human life", in the death of Jason Maldonado.

Sanchez faces a maximum term of 25 years to life imprisonment when he appears before State Supreme Court Justice Martin Marcus for sentencing on Thursday, April 1, 2004, in Part T13.

The fatal stabbing occurred in the early morning hours of July 13, 2002, following a series of heated telephone conversations between the defendant and Jessica Herrera, who was a passenger in the victim's car.

The victim and his friend, Gregory Bright, were leaving the Bedford Park section of the Bronx, when they encountered Herrera and an unidentified female companion. The ladies asked for a ride and Bright and Maldonado agreed to take them to their destination.

While in the car, Herrera received several telephone calls from her live-in boyfriend, Sanchez, demanding to know where she was, and whom she was with. During a few of the calls, Herrera left the telephone line open while she flirted with Maldonado. Overhearing his girlfriend's

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conversation, Sanchez, who was waiting for Herrera to arrive home, became enraged, grabbed a large kitchen knife and went downstairs to wait for her at the corner of Taylor Avenue.

Upon arriving at the intersection of Taylor and Van Nest Avenues, Herrera stepped out of the car and Sanchez immediately ran up to her and slapped her in the face, then kicked the car door shut. Witnessing the assault, Maldonado got out of the car and was confronted by Sanchez and stabbed once in the stomach with a 12" butcher knife.

Sanchez fled and was apprehended later that morning. Bright drove Maldonado to the hospital where he later succumbed to his injuries.

Assistant District Attorney Georgia Barker and Senior Assistant District Attorney John M. Morabito are prosecuting this case.

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— PRESS RELEASE —

Friday, March 19, 2004

**BRONX MAN IS SENTENCED TO 45 YEARS IMPRISONMENT FOR THE 2002
SHOOTING DEATH OF A ANOTHER BRONX RESIDENT**

Bronx District Attorney Robert T. Johnson announced today that a 27 year-old Bronx man has been sentenced on manslaughter and other related charges in the death of a 26 year-old Bronx resident.

Julio Alvarez, of 243 Third Avenue, was convicted last month of Manslaughter in the 1st degree in the shooting death of Danny Colon on April 16, 2002. Alvarez was also convicted of two counts of Assault in the 1st degree. The victims of the assault were Manny Colon, 17, and Aramis Fournier, 21.

State Supreme Court Justice Edward M. Davidowitz sentenced Alvarez to a term of 25 years imprisonment on the manslaughter charge, and 10 years imprisonment for each charge of assault, to be served consecutively, for a total of 45 years imprisonment.

During trial, the jury heard testimony that the fatal shooting was the result of an ongoing dispute between Alvarez and the deceased. Eyewitnesses testified that they saw Alvarez and an accomplice jump out of a car on Bryant Avenue, yell something at the deceased, who was walking with Manny Colon and Fournier. Alvarez then started shooting. Eyewitnesses further testified that Alvarez and his accomplice jumped back in the car and fled.

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Colon later succumbed to multiple gun shot wounds at Lincoln Hospital. Fournier was shot once in the shoulder, and Manny Colon was shot once in each leg.

Assistant District Attorney Meredith Holtzman of the Gangs / Major Case Bureau prosecuted this case.

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— PRESS RELEASE —

Friday, March 19, 2004

**GRAND JURY CHARGES BRONX MAN WITH THE ATTEMPTED MURDER
OF SIX POLICE OFFICERS, KIDNAPPING AND OTHER OFFENSES DURING
STANDOFF IN HIS GRANDMOTHER'S APARTMENT**

Bronx District Attorney Robert T. Johnson announced today that Adam Perry has been indicted on multiple counts of attempting to murder New York City Police Officers, kidnapping and related offenses and weapons possession.

A grand jury charged Perry, 32, with six counts of Attempted Murder in the 1st degree, six counts of Murder in the 2nd degree, three counts of Kidnapping in the 2nd degree, three counts of Unlawful imprisonment in the 1st degree, three counts each of Criminal possession of a weapon in the 2nd and 3rd degrees, and one count of Reckless endangerment.

Perry is scheduled to be arraigned on the indictment on Friday, April 2, 2004 in State Supreme Court, Part A. Perry was ordered held without bail during a brief court proceeding at Bellevue Hospital, where he is undergoing psychiatric evaluation.

Perry was taken into custody on Saturday, March 13, 2004 following a stand off with police, including hostage negotiators, that lasted several hours. Perry allegedly held his father and two health care attendants hostage in his wheelchair bound grandmother's apartment. It is also alleged that Perry, during the course of the stand off, fired numerous gunshots through the

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front door of the apartment , at police officers who were in the hallway outside.

Perry, if found guilty of the most serious charges, could be facing a maximum sentence of up to 25 years to life imprisonment on each of the attempted murder charges and 25 years on each of the kidnapping charges.

The case is being prosecuted by Assistant District Attorney John Morabito.

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— PRESS RELEASE —

Monday, March 22, 2004

**FORMER NEW YORK CITY FIRE PROTECTION INSPECTOR IS
SENTENCED ON CHARGES OF GRAND LARCENY BY EXTORTION AND
RELATED CHARGES**

Bronx District Attorney Robert T. Johnson announced today that a 50 year-old former New York City Fire Protection Inspector has been sentenced on charges of grand larceny and bribe receiving.

Hassim Mohammed, of 1745 Eastburn Avenue, was found guilty last month of one count Grand larceny in the 2nd degree, a "C" class felony offense, and one count of Bribe receiving in the 3rd degree, a "D" class felony offense.

State Supreme Court Justice Martin Marcus sentenced Mohammed to three years probation, and one hundred and twenty five hours of community service. The People recommended a term of 2 ½ to 7 ½ years imprisonment.

Mohammed, who was on duty as a NYC Fire Protection Inspector, went to 1062 Walton Avenue on December 17, 2002, for a routine building safety inspection, when he noticed other housing violations. The defendant approached the porter, warned him about the possibility of fines and costly repairs, and demanded five hundred dollars to take care of the problem.

The porter referred Mohammed to the building's owner, who contacted the Department of Investigations (DOI). Investigators from DOI promptly launched an investigation. On December

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23, 2002, investigators arranged a meeting between the building owner and the defendant. The owner wore a recording device and was supplied with pre-recorded "buy money". After the defendant showed the owner the violations in the basement, he demanded five hundred dollars to make the problems go away. The owner gave Mohammed the money and the defendant was arrested as he left the building.

Assistant District Attorney's Kristen Bowes and James Goward of the Rackets Bureau prosecuted this case.

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— PRESS RELEASE —

Wednesday, March 24, 2004

**GRAND JURY CHARGES NEW YORK CITY POLICE OFFICER WITH
GRAND LARCENY AND OTHER OFFENSES FOR ALLEGEDLY STEALING A BANK
DEBIT CARD FROM A SUSPECT**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted a New York City Police Officer for allegedly stealing property from a suspect whom he had placed under arrest.

Police Officer Russell Argilla , 30, of Mahopac, New York, has been charged with Grand larceny in the 4th degree, Petit larceny, Falsifying business records in the 1st degree, Official misconduct, Computer trespass, Criminal possession of stolen property in the 4th and 5th degrees, and Identity theft in the 2nd degree. Argilla is facing a maximum sentence of up to four years imprisonment on each count if convicted of the most serious charges of Grand larceny in the 4th degree, Computer trespass, and Identity theft in the 2nd degree. All are Class E felony offenses. The charges are the result of an investigation by the NYPD Internal Affairs Bureau and the Bronx DA's Rackets Bureau.

Argilla was arraigned before Acting State Supreme Court Justice John Byrne and released on his own recognizance. The defendant, at the time the alleged crimes occurred between October 28, 2003 and November 1, 2003, was assigned to the Patrol Borough Bronx Anti Crime

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Unit. Argilla was placed on modified assignment during the course of the investigation and suspended after his arrest last night. Argilla has been a New York City Police Officer since July 1996.

It is alleged that Argilla stole a bank debit card and PIN number from a man whom he had arrested on October 28, 2003. The card and bank access code allegedly were taken from the suspect's billfold when Argilla asked the man to produce identification as the arrest was being processed. The theft was uncovered during the course of the investigation which began after the suspect and his lawyer filed a complaint with the NYPD Internal Affairs Bureau. Investigators determined that cash withdrawals from Automated Teller Machines began within hours of the suspect's arrest while he was still in custody. It is alleged that Argilla and an accomplice split approximately \$1,800 in cash withdrawals between October 28, 2003 and November 1, 2003. The charges against Argilla include his alleged failure to note the card on the voucher of property recovered from the suspect, and failure to notify his supervisors as well as the Internal Affairs Bureau, after the suspect told him that the debit card was missing from his billfold. Charges against the man Argilla had arrested were subsequently dismissed for insufficient evidence.

The case is being prosecuted by Assistant District Attorney Todd Sherman of the Investigations Division's Rackets Bureau.

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— PRESS RELEASE —

Friday, March 26, 2004

BALTIMORE MAN CONVICTED OF MURDERING PARKCHESTER COUPLE
“EXECUTION STYLE” IN DRUG RELATED DISPUTE

Bronx District Attorney Robert T. Johnson announced today that a 30 year old Baltimore man has been convicted of murdering a Parkchester couple who allegedly had sold drugs to a friend of his on numerous occasions.

Kevin Washington was found guilty of four counts of Murder in the 2nd degree, under two different legal theories, and two counts of Robbery in the 1st degree, in the deaths of Esteban Martinez, 29, and Linda Leone, 23, on December 15, 1996. The jury convicted Washington of “intentionally” causing the deaths of the victims and also found him guilty of murder which occurred during the commission of a felony offense, the robbery.

Acting State Supreme Court Justice Megan Tallmer set sentencing for Wednesday, April 14, 2004 in Part T 22. Washington is facing a maximum sentence of 50 years to life imprisonment for the murders, if the terms are consecutive, and a concurrent sentence of up to 25 years imprisonment for the robbery conviction.

Washington went to the murdered couple’s apartment with three other people, including alleged accomplice Robert Mitchell, 33, who is awaiting extradition to the Bronx. Mitchell is in custody in Baltimore, Maryland on a probation violation. Two other accomplices, Keisha

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Washington, 30, the defendant's twin sister, and Denise Henderson, 36, pled guilty to Robbery in the 1st degree and are awaiting sentencing.

The jury heard testimony that Washington and the two women came to the Bronx from Baltimore with a fourth accomplice who believed that the murdered couple had cheated him on several occasions during drug transactions. The defendants used handcuffs and duct tape to restrain Martinez and Leone while they were tortured with serrated knives before being shot in head at close range. Martinez was killed first in order to persuade Leone to disclose where in the apartment the drugs and cash were hidden. Leone was killed after directing the defendants to a closet in the master bedroom where the two female accomplices were holding the couple's young children who at the time were four, five and six years old. Neither victim was shot in front of the children who were not harmed. The couple's six year old son called 911 after the defendants left the apartment to return to Baltimore with approximately \$45,000 in cash and more than a kilo of cocaine.

The case is being prosecuted by Senior Assistant District Attorney Nancy Borko and Assistant District Attorney Licet Tineo.

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— PRESS RELEASE —

Tuesday, March 30, 2004

**ALLEGED PIMP IS CONVICTED OF CONSPIRACY TO COMMIT MURDER
WHILE IN CUSTODY ON RIKERS ISLAND AWAITING CHARGES OF PROMOTING
PROSTITUTION**

Bronx District Attorney Robert T. Johnson announced today that 31 year-old Alfonso Washington, has been convicted of conspiring to murder an alleged rival pimp. Other charges of promoting prostitution are still pending.

Washington, of 300 West 139th Street, Manhattan, was convicted in a bench trial of one count of Conspiracy in the 2nd degree a "B" class felony offense. Washington, a predicate felon, faces a maximum term of up to 25 years imprisonment when he appears before State Supreme Court Justice Caesar Cirigliano for sentencing on Friday, April 9, 2004 in Part T5.

A second defendant, 31 year-old Crystal Rhodes, Washington's girlfriend, pled guilty last April to one count of Attempted Facilitation in the 2nd degree, a "D" class felony offense. Under the terms of the plea agreement, Rhodes will be sentenced to a term of 5 years probation. Sentencing is set for Tuesday, May 18, 2004 in Part M60.

While being detained at the City jail on Rikers Island, Washington agreed to pay an undercover detective whom he believed to be a "hitman", four thousand dollars to murder a witness in a pending case in which Washington is charged with promoting prostitution and endangering the welfare of a child.

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It was determined that Washington acted in concert with Rhodes and conspired to have a second victim murdered for an additional four thousand dollars. The second target was a business rival that Washington wanted to have killed. Investigators said that Washington believed that the rival was responsible for an incident in December 2001 in which Washington was shot.

Senior Trial Assistant District Attorney Stuart Levy, and Assistant District Attorney Amir Toossi, of the Investigations Division prosecuted this case.

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— PRESS RELEASE —

Thursday, April 1, 2004

**OFF DUTY NEW YORK CITY POLICE OFFICER CHARGED WITH
ASSAULTING FOUR CIVILIANS ON TWO SEPARATE OCCASIONS IN
UNRELATED INCIDENTS**

Bronx District Attorney Robert T. Johnson announced today that a New York City police officer has been charged with assaulting four men in unrelated incidents that occurred while the defendant was off duty.

Jeffrey Chambers, 36, of the Bronx, has been charged with Assault in the 3rd degree, and Disorderly Conduct following a joint investigation by the New York City Police Department's Internal Affairs Bureau and the Bronx District Attorney's Racket Bureau. Criminal Court Judge Ralph Fabrizio set bail at \$25,000. The assault charges against Chambers are Class A misdemeanor offenses punishable by a maximum sentence of up to one year in jail.

It is alleged, in court papers, that Chambers approached Andrew Walsh and Timothy Sullivan and punched them repeatedly in the face and head, causing bruising, swelling and pain to the head of both men. The incident occurred on or between the night of December 13, 2003 and December 21, 2003 in the street outside Dorney & Malone, a bar at 5993 Broadway in the Riverdale section of the Bronx. Chambers is also charged with assaulting two men inside the bar between six p.m. December 17, 2003 and six a.m. December 18, 2003. Chambers, in that incident, allegedly approached John Leo and William Leo and struck both men in the face with

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either a blunt object or his hand. The victims were knocked unconscious. William Leo, who served in the Gulf War in Iraq, suffered bruising and swelling to the face and a laceration to the head, which required at least ten stitches to close. John Leo suffered several bone fractures in the face which required surgery as well as the installation of metal plates as part of the treatment.

Chambers has been a New York City police officer for thirteen years.

Assistant District Attorney Sam Ramer, of the Investigations Division's Rackets Bureau, is prosecuting the case.

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— PRESS RELEASE —

Friday, April 2, 2004

**BRONX MAN IMPRISONED FOR UP TO TWENTY ONE YEARS FOR
MANSLAUGHTER AND OTHER OFFENSES**

Bronx District Attorney Robert T. Johnson announced today that a twenty five year old man was sentenced to a maximum term of five to fifteen years imprisonment for manslaughter in the death of an innocent bystander caught in the crossfire during a revenge motivated shooting.

Temel Greene, of 2080 Barnes Avenue, the Bronx, was also sentenced to three years imprisonment on an unrelated gun possession conviction, and two to six years imprisonment on an unrelated narcotics conviction. Acting State Supreme Court Justice Troy Webber ordered that the sentences on the unrelated charges run concurrent, however the sentence on the manslaughter conviction is to run consecutive to the others. As a result, Greene could remain in prison for as many as twenty one years. Greene was found guilty of Manslaughter in the second degree on January 22, 2004 and prior to that trial had pled guilty in the two other unrelated cases, one of which involved the sale of narcotics near a school.

The fatal shooting of Anthony Berrios, 16, occurred on October 16, 2001 on Eastburn Avenue by the Cross Bronx Expressway service road. Berrios was an innocent victim who was shot seven times when he was caught in the crossfire when Greene and others opened fire on another group of young men. Witnesses testified that Greene orchestrated the shooting in order

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to retaliate against a man with whom he had had an altercation several nights earlier. During the altercation at the Club Rumba near East Tremont Avenue, the intended target of the shooting slashed Greene in the face. Greene then planned to kill not only his alleged assailant but the assailant's associates as well. The targets of the attack escaped unharmed but Berrios was struck seven times and killed.

One other person, Jose Ramos, who was charged in the fatal shooting pled guilty to Manslaughter in the first degree and is awaiting sentencing. Ramos, who testified against Greene, is presently in federal custody on charges that he allegedly sold one of the weapons used in the shooting to a federal agent with the Bureau of Alcohol, Tobacco and Firearms Control.

Assistant District Attorneys Troy Smith and Suzanne Saia are prosecuting the case.

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— PRESS RELEASE —

Friday, April 2, 2004

**GRAND JURY CHARGES FORMER POLICE OFFICER WITH VEHICULAR
ASSAULT, DRIVING WHILE INTOXICATED AND OTHER OFFENSES IN “HIT AND
RUN” IN WHICH TWO PEDESTRIANS WERE SERIOUSLY INJURED**

Bronx District Attorney Robert T. Johnson announced today that Michael Lombardy, 47, of the Bronx, has been indicted in connection with a “hit and run” accident in which two young pedestrians were seriously injured.

The grand jury indicted Lombardy on two counts of Assault in the second degree, two counts of Vehicular Assault in the second degree, Leaving the scene of an accident without reporting, Resisting arrest, and Operating a motor vehicle while under the influence of alcohol.

Lombardy is facing a maximum sentence of up to seven years imprisonment if convicted of the most serious Class D felony offense, Assault in the second degree. Lombardy is being held without bail and is scheduled to be arraigned on the indictment in State Supreme Court, Part A, on Tuesday, April 13th.

The incident that led to the charges against Lombardy occurred at approximately two a.m. on Saturday, March 27, 2004, in the vicinity of White Plains Road and McGraw Avenue. Police Officer Nathaniel Anthony, according to court papers, saw Lombardy driving erratically with no headlights, while sticking his head out of the driver’s side window. The front windshield was

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shattered. The officer, according to the court papers, said a witness approached him and said that the car Lombardy was driving had struck two pedestrians at Castle Hill and St. Raymond Avenues and did not stop. Lombardy allegedly continued driving and still failed to stop after running two red lights while Officer Anthony pursued him in a marked police vehicle with lights and sirens operating. The defendant was apprehended when his car was overtaken and cut off by the police vehicle. The arresting officer said the defendant's speech was slurred and incoherent; his eyes were watery and bloodshot and there was a strong distinctive smell of alcohol. There also was blood on Lombardy's face and on the steering wheel of his car, according to court papers.

The victims, Michael Castano, 21, and Suehaye Santiago, 19, were taken to Jacobi Hospital where they remain in critical condition. Castano is in a coma on a respirator, with a punctured lung and both legs broken. Santiago also is in a coma with head injuries, a broken leg and a broken arm.

The incident in which the two young people were injured occurred only a little over a month after Lombardy, a former New York City Police Department Sargent, was charged with driving while intoxicated in a case that is still pending. That incident occurred on City Island on February 15, 2004.

Assistant District Attorney Nadia Chanza is prosecuting the case.

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— PRESS RELEASE —

Thursday, April 8, 2004

**NEW YORK CITY POLICE OFFICER RESIGNS AND PLEADS GUILTY TO
PETIT LARCENY AND OFFICIAL MISCONDUCT IN CONNECTION WITH THE
ARREST OF A DRUG SUSPECT**

Bronx District Attorney Robert T. Johnson announced today that a former New York City police officer was convicted of Petit Larceny and Official Misconduct in connection with the arrest of a man on drug charges.

Kendall Currie, 35, of the Bronx, pled guilty before Criminal Court Judge Harold Adler and was sentenced to a conditional discharge. Currie resigned from the New York City Police Department at the end of his shift on Tuesday, April 6, 2004 and surrendered to NYPD Internal Affairs Detectives on Wednesday morning April 7, 2004. Currie's immediate resignation was a condition of the plea agreement. He was appointed a New York City Police Officer on September 15, 2000.

Currie admitted that on January 15, 2003 he stole "approximately 13 clear plastic bags of a white powder like substance alleged to be heroin, owned by the City of New York." He also admitted that he neither turned in the materials to the property clerk, nor submitted paperwork for the property, which was taken from a suspect who had been arrested on a narcotics offense. A voucher that was submitted indicated that only one plastic bag had been confiscated from the

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defendant.

The crimes, both Class A misdemeanor offenses, occurred at the NYPD's PSA 8 headquarters at 2794 Randall Avenue. Currie, who was assigned there at the time of the incident, was later placed on modified assignment during the course of the investigation by the Internal Affairs Bureau.

The case was prosecuted by Assistant District Attorney Dennis Consumano of the Rackets Bureau.

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— PRESS RELEASE —

Friday, April 9, 2004

**SUSPECT IDENTIFIED THROUGH DNA TESTING OF BACKLOGGED “RAPE
KITS” SENTENCED TO A MAXIMUM TERM OF LIFE IMPRISONMENT FOR THE
SODOMY AND SEXUAL ABUSE OF 13 YEAR OLD GIRL IN 1996**

Bronx District Attorney Robert T. Johnson announced today that a 42 year old man has been sentenced to consecutive terms of 25 years to life imprisonment for the sodomizing and sexually abusing a 13 year old girl in 1996.

Rodney Lloyd, a resident of the Men’s Shelter on Wards Island at the time of his arrest, was found guilty, on January 29, 2004, on one count of Sodomy in the 1st degree, one count of Sexual abuse in the 1st degree and one count of Endangering the welfare of a child.

Acting State Supreme Court Justice Margaret Clancy sentenced Lloyd to consecutive terms of 25 years to life imprisonment on the sodomy and sexual abuse charges and a concurrent term of 1 year in jail on the misdemeanor charge of Endangering the welfare of a child. Lloyd will not become eligible for parole until he has served at least 50 years in state prison. He was sentenced as a Mandatory Persistent Violent Felony Offender in light of prior convictions in 1976 for gun possession, 1978 for the sodomy and sexual abuse of two 13 year old boys, and 1991 for robbery and attempted robbery.

This most recent crime, for which Lloyd received the life sentence, occurred on May 22,

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1996 following his release on parole in March 1995. Lloyd accosted his 13 year old victim at knife point in an elevator and forced her to accompany him to the roof. The girl managed to flee and ran down thirteen flights of stairs. Lloyd caught up with the young victim when she fell and fractured her ankle. He dragged her back up the stairs to the roof where the sexual assault occurred. Lloyd fled and remained at large until his arrest on November 20, 2002.

Charges against Lloyd were filed as a result of a City initiative, announced and funded in 2000, to test a backlog of some 16,000 sexual assault evidence kits so called "rape kits." Prior to the initiative, "rape kit" specimens from hospital examinations of victims were not tested for DNA unless the identity of a suspect was known. Lloyd, whose DNA was in a state data bank because of his prior robbery conviction, was arrested after it was discovered that his DNA matched the DNA samples recovered from the 13 year old girl who had been attacked in 1996.

The case was prosecuted by Assistant District Attorney Mimi Mairs of the Child Abuse/Sex Crimes Bureau.

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— PRESS RELEASE —

Wednesday, April 14, 2004

**BRONX MAN IS SENTENCED TO UP TO LIFE IMPRISONMENT FOR
ROBBING TWO PEOPLE**

Bronx District Attorney Robert T. Johnson announced today that a 41 year-old Bronx man has been sentenced to a term of up to life imprisonment for robbing two people in October 2002.

A jury found Paul Frazier, of 2971 Decatur Avenue, guilty of 1 count of Robbery in the 1st degree, and 1 count of Robbery in the 3rd degree for the gunpoint robberies of Mohammed Hossain, 39, and Alexandra Ogandl, 34. Frazier, a mandatory persistent violent felony offender, was also sentenced in July 2003 on charges of Robbery in the 1st degree in Manhattan State Supreme Court, to a term of 25 years to life imprisonment.

Acting State Supreme Court Justice Barbara F. Newman sentenced Frazier to a term of 25 years to life on the Bronx conviction for Robbery in the 1st degree, to be served concurrently with a term of 3 ½ - 7 years imprisonment on the charge of Robbery in the 3rd degree. The sentences for the Bronx crimes are to run consecutive to his sentence in the Manhattan case.

The first robbery occurred on October 2, 2002, when Frazier approached Hossain, as he entered the 167th Street train station on the Grand Concourse, held a gun to his head, and demanded all his money. Frazier snatched \$220 and fled.

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The second incident happened on October 19, 2002, as Frazier approached 34 year-old Alexandra Ogandl as she exited the Tremont Avenue train station on the Grand Concourse. Fraizer held a gun to her side and demanded her money. Frazier fled with \$230.00. The defendant was apprehended on November 4, 2003 and identified in a line up.

Assistant District Attorney Suzanne McElwreath of the Trial Division prosecuted this case.

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— PRESS RELEASE —

Monday, April 19, 2004

**EXTRADITED SUSPECT ARRAIGNED ON TWO COUNTS OF MURDER
AND RELATED CHARGES IN THE 2001 STABBING DEATH OF A LIVERY
CAB DRIVER**

Bronx District Attorney Robert T. Johnson announced today that 26 year-old Robin Valentin, a former Bronx resident, has been arraigned on an indictment charging two counts of murder and related charges for the alleged 2001 stabbing death of a 22 year-old livery cab driver.

22 year-old Jose Gutierrez was stabbed in the neck on April 22, 2001 after being surrounded by Valentin and his co-defendant's. Gutierrez was rushed to Jacobi Hospital where he was pronounced dead.

The grand jury charged Valentin, formerly of 244 Kingsbridge Road, the Bronx, with Murder in the 2nd degree under two different legal theories. Valentin is charged with intentional murder in causing the death of the victim, and in a manner "evinced a depraved indifference to human life". Valentin was also charged with 1 count of Manslaughter in the 1st degree, 1 count of Attempted Assault in the 1st degree, 1 count of Reckless endangerment in the 1st degree, 2 counts of Hindering prosecution in the 1st degree and 1 count of Criminal possession of a weapon in the 4th degree, in the alleged stabbing death of Jose Gutierrez. Valentin fled immediately after the homicide and eluded police for nearly three years before he was taken into custody in Belgium last week.

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Co-defendant's Densil Vasquez, 24, of 1770 Andrews Avenue, and Fidel Genoa, 25, of 782 Pelham Parkway, pled guilty last May to 1 count of Reckless endangerment in the 2nd degree. A third co-defendant, Algeny Capellan 24, of 31 Mosholu Parkway, pled guilty in March 2003, to 1 count of Reckless endangerment in the 1st degree. Vasquez, Genoa and Capellan are scheduled to be sentenced on Thursday, May 6, 2004 in Part M60. A fourth defendant, Alphonso Sanchez, 23, of 185 East 163rd Street, pled guilty in February 2003, to 1 count of Attempted Assault in the 1st degree. Sanchez was sentenced to a determinate term of three and a half years imprisonment.

The incident occurred on April 22, 2001 after the victim allegedly bumped his car into Valentin's motorcycle. It is further alleged that Valentin acted in concert with co-defendants Capellan, Sanchez, Genoa and Vasquez, who chased Gutierrez, to the intersection of Middletown Road and McDnough Place, where they surrounded the victim.

It is alleged that Valentin stabbed Gutierrez in the neck, then fled to the Dominican Republic. Valentin fled once again to Belgium where he was apprehended. After extradition from Belgium, Valentin was remanded at his arraignment today before Acting State Supreme Court Justice John N. Byrne. Valentin is next scheduled to appear on Friday, May 7, 2004 in Part M60. If convicted of murder, Valentin faces a maximum term of up to life imprisonment.

Senior Trial Assistant District Attorney Nancy Borko, of the General Crimes Division is prosecuting this case.

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— PRESS RELEASE —

Monday, April 19, 2004

**GRAND JURY INDICTS BRONX MAN ON CHARGES OF ATTEMPTED
MURDER FOR THE ATTACK OF ICE CREAM TRUCK OWNERS**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has charged a 51 year-old man with the attempted murder of the owner / operators of an ice cream truck last March.

A grand jury charges Fernando Esparza, of 645 Barretto Street, the Bronx, with 2 counts of Attempted Murder in the 2nd degree, 2 counts of Assault in the 1st degree, 1 count of Attempted Assault in the 1st degree, Assault in the 2nd degree and 1 count of Criminal Possession of a Weapon in the 4th degree, in the severe beating of Luis and Juana, (Jenny) Marrero, and their granddaughter Dominique Donofrio.

If convicted of the most serious charge of attempted murder Esparza faces a maximum term of up to 25 years imprisonment. Esparza will be arraigned on this indictment on Wednesday, April 28, 2004 in Part A. The case against co-defendant Librada Veron, is still pending grand jury action.

The charges against Esparza alone stem from his alleged actions on March 27, 2004 as the Marrero's and their granddaughter returned to the truck depot in the Hunts Point section of the Bronx. According to court papers, Esparza was observed striking Juana Marrero in the face and head with an orange object. It is further alleged that Esparza also struck Luis Marrero in the head with

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the same object. An eyewitness stated that the defendants then approached Donofrio, who was allegedly struck across the face by Esparza with the orange object.

The Marrero's sustained numerous skull fractures, which required emergency treatment. Juana Marrero is still in the hospital recovering from her injuries.

Assistant District Attorney Ivan B. Okun of the Trial Bureau is prosecuting this case.

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— PRESS RELEASE —

Tuesday, April 20, 2004

**CRIME VICTIMS' ASSISTANCE UNIT HOSTS BRONX SURVIVORS ANNUAL
CLOTHESLINE PROJECT DISPLAY AND INFORMATION FAIR**

The Bronx District Attorney's Crime Victims Assistance Unit, in partnership with allied professionals and community volunteers, hosts the eighth annual Bronx Clothesline Project and information fair in honor of National Crime Victims' Rights Week.

This year's theme, "Victims Rights: America's Values", places an emphasis on America's promise to all crime victims, to make available, advocacy, resources, information, protection, privacy, and choices. This massive visual display highlights the victim's rights movement that has successfully brought the concerns of crime victims to the forefront of America's public policy agenda.

Mr. Johnson said: "The Clothesline Project is a powerful exhibit that continues to personalize the often-painful issues of crime victims, and their struggle to survive".

The event, held in recognition of National Crime Victims' Rights Week, will take place today, Tuesday, April 20, 2004 from 9:30 AM to 5:00 PM and tomorrow, Wednesday, April 21, 2004 from 9:30 AM to 3:00 PM at the Bronx County Building, 851 Grand Concourse, in the Veterans Memorial Hall, on the first floor.

This event is co-sponsored by a broad coalition of advocates and service providers. The list

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of committee members and participants are as follows: The Bronx District Attorney's Crime Victims Assistance Unit, Bronx Borough President's Office, Safe Horizon - Criminal Court, Safe Horizon - Bronx Families of Homicide, Safe Horizon - Family Court, Fordham Tremont Community Mental Health Center, Bronx Independent Living Services, Kingsbridge Heights Community Center - Child Sexual Abuse Treatment & Prevention Program, East Harlem Neighborhood Based Alliance Co., SCAN - Supportive Children's Advocacy Network, N.Y.C. Human Resources Administration, Sanctuary for Families, North Central Bronx Hospital Domestic Violence, Legal Information for Families Today, Neighborhood Shopp, Neighborhood State Crime Victims Board, Million Mom March, Casa Atabex Ache / House of Wonya's Power, Community Choice Health Plan and the Department of Probations.

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— PRESS RELEASE —

Tuesday, April 20, 2004

**BRONX GRAND JURY INDICTS A MAN ON CHARGES OF ATTEMPTING TO
STEAL A HOUSE FROM A SENIOR CITIZEN**

Bronx District Attorney Robert T. Johnson announced today that a 41 year-old Bronx man has been indicted on charges of attempting to steal and sell the property of a 62 year-old neighbor.

A grand jury has charged Paul Marino, aka "Brian Cartania" of 4385 Vireo Avenue with one count each of Attempted Grand larceny in the 2nd degree and Criminal possession of a forged instrument in the 2nd degree, both "D" class felony offenses. It is alleged that Marino acted in concert with an unapprehended individual, in an attempt to sell the home of Maureen McMahan, a retired schoolteacher. If convicted, Marino faces a term of up to seven years imprisonment on each count. Marino is next scheduled to appear in Bronx Supreme Court, on Friday, May 14, 2004, in Part M60.

The attempted theft of property was uncovered when McMahan, the owner of targeted property on Vireo Avenue, in the Woodlawn section of the Bronx, found an employee of T. Eason Land Surveyors of Port Jefferson, L.I. surveying her property on behalf of Cartania Real Estate Holding Company. The victim contacted authorities who initiated a four-month joint investigation by the Bronx District Attorney's Detective Squad and the United States Postal Office.

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The indictment alleges that in November 2003, Marino, acting as a representative of the Cartania Real Estate Holding Company, and possessing a counterfeit deed with a forged signature, approached a third party and attempted to sell the McMahon home. The indictment further alleges that in the process of attempting to sell the house to the third party, the defendant supplied contracts for the sale of the house to the third party. The third party wrote a check in the amount of \$37,500 as a down payment to a fictitious lawyer, who supposedly represented the Cartania Real Estate Holding Company, named on the forged deed.

Mr. Johnson thanked United States Postal Inspector Robert Moriarty, and acknowledged the hard work of Bronx District Attorney's Arson / Economic Crime Bureau Chief Richard Baker, Stephen Nasta, Chief of Detective Investigators, and Detective Investigator Joseph Iodice.

This case is being prosecuted by Assistant District Attorney Linda Tacoma of the Arson /Economic crime Bureau.

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— PRESS RELEASE —

Friday, April 23, 2004

**BRONX DISTRICT ATTORNEY UNVEILS NEW SATELLITE OFFICE FOR
THE CRIME VICTIMS ASSISTANCE IN COMMUNITY BOARD 12**

Bronx District Attorney Robert T. Johnson, and John W. Gillis, Director of the United States Department of Justice, Office for Victims of Crime, today in conjunction with National Crime Victims Rights Week, welcomed the residents of Community District 12 to the opening of a new comprehensive Crime Victims' Assistance Unit satellite office designed to decentralize victim services, by moving them closer to those in need.

The satellite office of the Crime Victims Assistance Unit, located at 4101 White Plains Road, a component of the District Attorney's Office Crime Victims Assistance Unit (CVAU), established in 1975, will primarily service residents in the neighborhoods of Baychester, Edenwald, Fishbay, Olinville, Wakefield, Williamsbridge and Woodlawn Heights. The CVAU will provide essential, comprehensive support services to victims of all crimes.

Under the direction of Beth Ann Holzhay, Director of the Crime Victims' Assistance Unit, the satellite staff consists of a Program Coordinator, Victim Advocate, and a Crisis Intervention Advocate. An Elder Abuse Coordinator will also periodically visit the satellite office.

Crime Victims seeking assistance will have an initial face-to-face interview with the CVAU and then a plan will be developed to address the victim's needs. Based on need, victims and their

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families will be put in touch with a larger network of City, State and community services. Services include, but are not limited to: crisis intervention, court accompaniment, emergency placement, individual and group counseling, community education and training.

Mr. Johnson said: "Providing essential services to victims of crime continues to be a priority of the DA's Office. The opening of this satellite office will provide residents of Community District 12, and the surrounding neighborhoods with greater access to an expansive network of service professionals".

Mr. Gillis said: "The Bronx District Attorney's Office has done an exceptional job in implementing this initiative to serve victims in the Bronx". He added that the Bronx site is one of six sites around the country that are part of a national demonstration project, the Urban High Crime Neighborhood Initiative, funded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.

Funding for this project is being provided by a grant from the U.S. Department of Justice Office for Victims of Crime (OVC). In addition, the CVAU is collaborating with the following stakeholders in providing services: Office of the Bronx Borough President, North Central Bronx Hospital, Our Lady of Mercy Hospital, Wakefield Taxpayers Association, New York City Police Department (47th Precinct), Uptown Express, Edenwall / Gunhill Neighborhood Center, Bronx Independent Living Services, E.A.R.S, Community Board 12, Gloria Wise Girls & Boys Club, N.Y.C. Department of Probation, Unity Temple of Peace and Langsam Property Service Corp.

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Other components of the project include programs such as the Multidisciplinary Team on Child Physical and Sexual Abuse, the Elder Abuse Multidisciplinary Task Force and coalitions of representatives from various agencies that help to improve communication among participants.

For more information on this program please contact Beth Ann Holzhay, Director CVAU at 718-590-2114 or visit our web-site at www.bronxda.net.

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— PRESS RELEASE —

Wednesday, April 28, 2004

**ALLEGED PIMP IS SENTENCED TO A MAXIMUM TERM OF UP TO 12
YEARS IMPRISONMENT FOR CONSPIRING TO COMMIT MURDER WHILE IN
CUSTODY ON RIKERS ISLAND**

Bronx District Attorney Robert T. Johnson announced today that 31 year-old Alfonso Washington, has been sentenced for conspiring to murder an alleged rival pimp while in custody on Rikers Island.

Washington, a predicate felon, of 300 West 139th Street, Manhattan, was convicted last month of one count of Conspiracy in the 2nd degree. State Supreme Court Justice Caesar Cirigilano sentenced Washington to an indeterminate term of 6 to 12 years imprisonment. The people had asked for a term of 10 to 20 years imprisonment.

Washington, while being detained at the City jail on Rikers Island, agreed to pay an undercover detective whom he believed to be a "hitman", four thousand dollars to murder a business rival who Washington believed was responsible for an incident in December 2001, in which Washington was shot.

A second defendant, 31 year-old Crystal Rhodes, Washington's girlfriend, pled guilty last April to one count of Attempted Facilitation in the 2nd degree, for her role in the conspiracy. Sentencing is set for Tuesday, May 18, 2004 in Part M60.

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Washington is scheduled to appear in State Supreme Court, Part T5, on Monday, May 17, 2004, to face the charges on which he was originally detained, Promoting prostitution, and endangering the welfare of a child.

Senior Trial Assistant District Attorney Stuart Levy, and Assistant District Attorney Amir Toossi, of the Investigations Division prosecuted this case.

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— PRESS RELEASE —

Wednesday, April 28, 2004

**CONVICTED MURDERER SERVING LIFE SENTENCE FOR KILLING A
POLICE OFFICER, FOUND GUILTY IN THE SHOOTING DEATH OF A BRONX
MAN IN A 1987 PUSH-IN BURGLARY**

Bronx District Attorney Robert T. Johnson announced today that Jose Fernandez, 53, has been found guilty of Murder in the 2nd degree in the death of Jose Gomez who was 43 years old when he was fatally shot in the Fall of 1987.

State Supreme Court Justice Harold Silverman set sentencing for Monday, May 10, 2004 in Part T18. Fernandez, who is facing a maximum sentence of up to 25 years to life imprisonment, already is serving a life sentence for the murder of a New York City Police Officer. Fernandez was convicted of Murder in the 2nd degree in August 2003 in the death of Police Officer Michael Buczek in October 1988 in Manhattan. Following that murder, Fernandez fled to the Dominican Republic where he remained until a joint extradition proceeding in 2002 by the Bronx and Manhattan District Attorneys.

In the Bronx case, Fernandez was convicted of murder during the commission of a felony offense in which he and two other men pushed their way into the victim's home while impersonating police officers. The murder occurred on September 14, 1987 in an apartment on Creston Avenue in the Fordham section of the Bronx. Fernandez and his accomplices, acting under the mistaken belief that the victim was a drug dealer, stormed into the apartment and

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demanded that he give them cash and narcotics. After ransacking the apartment, the victim, his young son and four other people were herded into the bathroom. Frustrated over having to leave empty handed, Fernandez fired shots into the bathroom, one of which struck Gomez in the head killing him instantly.

Alfredo Medina, 63, was convicted of Murder in the 2nd degree in 1989 for his role in Gomez' death and is currently serving a sentence of 25 years to life imprisonment. A third suspect in the murder remains at large.

The case is being prosecuted by Chief Trial Counsel and Director of Trial Training, Assistant District Attorney Daniel McCarthy, and Assistant District Attorney Cynthia Lindblom.

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— PRESS RELEASE —

Friday, April 30, 2004

**BRONX MAN CAUGHT IN AN INTERNET STING OPERATION IS
CONVICTED OF TEN COUNTS OF CHILD PORNOGRAPHY AND RELATED
CHARGES**

Bronx District Attorney Robert T. Johnson announced today that a 34 year-old Bronx man has been convicted of ten counts of child pornography and other related charges.

Mario Jimenez, of 5 Buchanan Place, pled guilty to 1 count of Promoting an obscene sexual performance by a child, a class "D" felony offense, and 9 counts of Possessing an obscene sexual performance by a child, a class "E" felony offense.

Under the terms of the plea agreement, Acting State Supreme Court Justice Steven L. Barrett, will sentence Jimenez to a term of 1 year imprisonment, waiving the right to appeal or early release. Jimenez must also register a sex offender post release. Sentencing is set for Friday, May 7, 2004 in Part M60.

The under cover operation began on January 13, 2003 when a detective in Maryland, notified the New York City Police Department's Computer Crimes Squad, of a series of conversations between the defendant and an undercover police detective who met the defendant in an Internet chat room.

During the chats, Jimenez would send the detective photographs of prepubescent children engaged in sexual acts. Detectives from the NYPD Computer Crimes Squad contacted the Bronx

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District Attorney's Office in September 2003, following their investigation. A search warrant was executed and Jimenez was subsequently arrested. Further examination of the defendant's computer equipment revealed hundreds of images of child pornography.

This case is being prosecuted by Assistant District Attorney Andrew Kampel, Supervisor, and Assistant District Attorney Robert Bergida, of the Arson / Auto / Economic Crimes Division.

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— PRESS RELEASE —

Tuesday, May 04, 2004

**FORMER MIDDLE SCHOOL MATH TEACHER IS SENTENCED TO A TERM
OF UP TO SIX YEARS PROBATION FOR SEXUALLY ABUSING A 14 YEAR-OLD
STUDENT**

Bronx District Attorney Robert T. Johnson announced today that Geraldine Malave, a former middle school math teacher at I.S. 339 in the Bronx, has been sentenced for the sexual abuse of a 14 year-old student.

Acting State Supreme Court Justice Steven L. Barrett sentenced Malave, 34, of 2165 Ryer Avenue, who pled guilty last February to one count of Sexual abuse in the 2nd degree, to a term of six-years probation. The defendant was also ordered to register as a level one sex offender for a period of 10 years, and a six year order of protection has been issued to the victim. In addition, the defendant signed a letter permanently revoking her teaching license.

New York City Police Officer's arrested Malave on June 11, 2003 after the Special Commissioner's Office of the Board of Education notified the Bronx District Attorney's Office that the child's mother came forward with a substantial complaint. A subsequent investigation revealed that Malave had sent a sexually explicit e-mail to the victim. In addition, Malave kissed the victim on numerous occasions.

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This case was prosecuted by Assistant District Attorney Johanna Hernandez of the Domestic
Violence / Sex Offense Bureau.

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— PRESS RELEASE —

Thursday, May 6, 2004

FORMER SENIOR MARKETING DIRECTOR OF AFFINITY HEALTH PLAN
A BRONX HEALTH CARE PROVIDER IS CONVICTED OF GRAND
LARCENY

Bronx District Attorney Robert T. Johnson announced today that a 41 year-old former Senior Marketing Director of the Affinity Health Plan, has been convicted of embezzling more than \$250,000 from the non-profit health care provider located at One Fordham Plaza.

Emilio Noble, of 5 Henry Drive, Wappingers Falls, New York, pled guilty to Grand larceny in the 2nd degree. Under the terms of the plea agreement, Acting State Supreme Court Justice Michael A. Gross promised Noble a term of five years probation, and will order the defendant to pay \$250,000 in restitution. Sentencing has been set for Thursday, July 8, 2004 in Part T11.

Co-defendant Luis Omar Rodriguez, 54, of 3750 Hudson Terrace, the Bronx, pled guilty in February 2003 to Attempted Grand larceny in the 2nd degree. Under the terms of his plea agreement, Rodriguez was sentenced to a term of 5 years probation and ordered to pay \$25,000 in restitution.

In 2002, during the course of an internal audit by the Bronx based health care provider, questionable accounting irregularities were discovered. Following the completion of the analysis by Kroll Associates, a private investigation firm hired by Affinity Health Plan, the case was referred to the Bronx District Attorney's Office for prosecution.

The thefts occurred between October 2000 and January 2003 during which some seventy

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checks totaling approximately \$252,000 were issued to Rodriguez as payment for large quantities of health plan brochures that were never ordered. Noble would draft phony invoices in his co-defendant's name, for non-existent brochures, then submit them to accounts payable. Accounts payable would issue checks to Rodriguez, drawn on Affinity Health Plan's account. Rodriguez would cash the checks, keep ten percent for himself and give the balance to Noble.

Mr. Johnson thanked Maura Bluestone, President and CEO of the Affinity Health Plan, and Kroll Associates for their help in building this case. Mr. Johnson also acknowledged the hard work of NYPD Detective Earnest Morris of the DA's Squad.

Assistant District Attorney's Samuel R. Ramer and Maureen Sheehan of the Rackets Bureau prosecuted this case.

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— PRESS RELEASE —

Thursday, May 13, 2004

**GANG MEMBERS CHARGED WITH TERRORISM FOR MURDER, ASSAULT,
AND OTHER OFFENSES IN EFFORT TO CONTROL A BRONX NEIGHBORHOOD**

Bronx District Attorney Robert T. Johnson and New York City Police Commissioner Raymond Kelly announced today that a grand jury has included acts of terrorism in filing charges of conspiracy, murder, gang assault and other offenses against members and associates of a violent street gang.

Some of the charges have been brought pursuant to the New York State Anti-terrorism Statute which raises their level of seriousness if specified crimes are committed with “the intent to intimidate or coerce a civilian population”. This case appears to be the first in which the Anti-terrorism Statute has been used against members of an organized gang who sought to dominate a neighborhood through their criminal acts.

District Attorney Johnson said: “The obvious need for this statute is to protect society against acts of political terror. However, the terror perpetrated by gangs which all too often occurs on the streets of New York, also fits squarely within the scope of this statute”.

Commissioner Kelly said: “This group terrorized St. James Park and the surrounding community with their brutality”.

The grand jury, in a seventy count indictment, alleges that the defendants, members of or

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affiliated with "The St. James Gang" conspired to "intimidate or coerce a civilian population".

The gang's agreed upon objective, according to the indictment, was to "control an area bounded by Webster Avenue on the east, University Avenue on the west, East 205th Street on the north, and East 170th Street on the south". The crimes charged are as follows: Conspiracy in the 2nd degree, Murder in the 2nd degree, Manslaughter in the 1st degree, Attempted Murder in the 2nd degree, Assault in the 1st and 2nd degrees, Gang Assault in the 1st and 2nd degrees, Attempted Assault in the 1st and 3rd degrees, Attempted Robbery in the 1st, 2nd and 3rd degrees, Criminal Possession of a Weapon in the 2nd, 3rd and 4th degrees, Unlawful Possession of Pistol or Revolver Ammunition, Reckless Endangerment in the 1st degree, and Menacing in the 2nd degree.

Mr. Johnson said: "This indictment paints a picture of an ongoing and systematic campaign of intimidation in which gang members preyed upon hard working, law abiding citizens, including fellow immigrants from Mexico. The purpose of this wanton violence by these defendants was to enhance their status. It is alleged that the defendants attempted to flex the gang's collective muscle by targeting private parties, restaurants and other business establishments in the Fordham section of the Bronx."

Detectives this morning executed five arrest warrants on charges filed in the indictment against a total of nineteen alleged members and associates of the St. James Gang. These arrests are the result of a joint investigation by the New York City Police Department's Bronx Gang Unit and the Bronx District Attorney's Gangs/ Major Case Bureau. The investigation, which began in August 2002, is continuing and additional arrests are expected including at least five

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other gang members already in custody on other charges.

The most serious charge in the indictment, Murder in the 2nd degree as a terrorist act, concerns the death of ten year old Melanie Mendez. The child was shot once in the head on August 18, 2002 when gunfire erupted outside a church hall at 1891 McGraw Avenue. Mendez was struck by a stray bullet during an altercation that began when the defendants invaded a baptism party and confronted a man whom they believed to be a member of a rival gang. In an effort to avoid trouble, the man left the party with a friend. The two were followed outside where shots were fired killing Mendez, a bystander, and seriously injuring the friend, Javier Toccimani. Murder in the 2nd degree as a crime of terrorism is punishable by a mandatory sentence of life imprisonment without the possibility of parole.

Other overt criminal acts charged in the conspiracy count in the indictment include the following:

- Gang members harassed and robbed customers at the Diamante Poblano Restaurant on numerous occasions between September 18, 2001 and May 6, 2004.

-Shots were fired into a crowd of people in a park in the vicinity of 188th Street and Bathgate Avenue on October 16, 2001.

- Gang assault causing serious physical injury to Luis Morocho, 21, at the time of the incident which occurred at Fordham Plaza, on December 2, 2001.

- Attempted murder on April 14, 2002 . Ricky Sandoval, 15 , at the time of the incident, was shot in the face after leaving a birthday party for a 15 year old relative of a St. James Gang

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member. Sandoval was an invited guest, whom the defendants believed to be a member of a rival gang.

- Attempted murder on August 19, 2002. Raymondo Julian, 22, when the incident occurred, was slashed in the throat slashed when a gang member attempted to steal a gold chain that the victim was wearing.

- Shots were fired into a crowd of people in the vicinity of University Avenue near Fordham Road on February 21, 2004. The targets of the attack were on their way to a party being held at St. Nicholas of Tolentine Church.

- The illegal possession of firearms and other dangerous weapons and ammunition on numerous occasions.

Also cited as one of the overt acts in furtherance of the alleged conspiracy was the possession, by one of the subjects of the investigation, of a membership list and record of dues paid.

The five defendants arrested this morning have been identified as Edgar Morales, 22, (aka Puebla), of 2701 Valentine Avenue, the Bronx; Jose Cortez, 22, (aka Chino), of 2801 Valentine Avenue, the Bronx; Robert Torres, 22, (aka Victima, Enrique Salas, Torres Henriquez), of 2565 Grand Concourse, the Bronx; Cupertino Prarro, 31, (aka Viejo Chievo, Bravo Cupertino), of 37-36 88th Street, Queens; and Juan Diaz, 29, (aka Rayo, John Diaz), of 2350 Creston Avenue, the Bronx.

Morales has been charged with conspiracy, murder, manslaughter, attempted murder,

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assault, gang assault, and criminal possession of a weapon as acts of terrorism. He is facing prison terms ranging from twenty five years to life without the possibility of parole. The most serious offense involves the August 18, 2002 shooting death of ten year old Melanie Mendez.

Cortez, Prarro, Diaz, and Torres have been charged with Conspiracy in the 2nd degree and are facing a maximum term of twenty five years imprisonment.

District Attorney Johnson and Commissioner Kelly expressed appreciation for the teamwork between NYPD's Bronx Gang Unit and the Bronx DA's Gang Prosecution / Major Case Bureau that resulted in this indictment.

The case is being prosecuted by Assistant District Attorney Christine Scaccia, Director of Gang Prosecutions, and Assistant District Attorney Meredith Holzman.

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— PRESS RELEASE —

Monday, June 7, 2004

**SUMMER INTERNS RETURN TO THE BRONX DISTRICT ATTORNEY'S
OFFICE**

Bronx District Attorney Robert T. Johnson announced the hiring of 24 law school and college students who will begin an eight-week summer internship program today.

The interns will help attorneys prepare cases for trial and provide research and other assistance in the following bureaus: Criminal Court, Appeals, Gang Prosecutions, Investigations, Narcotics, Domestic Violence, Child Abuse / Sex Crimes and the General Crimes Division Trial Bureaus, as well as Community Affairs and the Crime Victims Assistance Units.

The law school students will work under the supervision of Assistant District Attorney Maria T. Rivero, Director of Legal Recruitment. The college students will work under the supervision of Lawrence M. Young, Deputy Administrative Chief.

The summer interns and their schools are as follows:

Law Students

Alisha Adams	Georgia State University College of Law
Phan Alvarado	St. John's University School of Law
Matthew Baron	Fordham University School of Law
Adonaïd Casado	Fordham University School of Law
Lesley A. DeCasseres	Cornell University Law School

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Robert Finnerty	Boston College Law School
Adam Garfinkel	CUNY @ Queens College School of Law
Cynthia Isales	Fordham University School of Law
David Liebenstein	Brooklyn Law School
Matthew Lombardi	Seton Hall University School of Law
Ramon Mercedes	Boston College Law School
Juan Restrepo-Rodriguez	Brooklyn Law School
Ayelet Sela	Benjamin N. Cardozo School of Law
Stephanie Siaw	Benjamin N. Cardozo School of Law
David Sosa	Vermont Law School
Adam Verstandig	Brooklyn Law School
Joseph A. Villani, Jr.	Boston College Law School
Alan Walkow	Brooklyn Law School
Jason Whitehead	University of Maryland School of Law
Shakoya Womack	Fordham University School of Law

College Students

Donna Diaz	Fordham University
Shari J. Hathaway	Lincoln University
Rashawn Haynes	Fordham University
Keron Manning	Fordham University
Sherene Smikle	Pace University

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— PRESS RELEASE —

Tuesday, June 8, 2004

**GRAND JURY CHARGES BRONX MAN WITH MURDER IN THE STABBING
DEATH OF HIS FIANCÉ**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has charged 23 year old Rafael Severino Castro with murder and other offenses in the stabbing death of 22 year old Vanessa Reynoso and the wounding of her 48 year old mother.

The grand jury indicted Castro, of 1013 Freeman Street. on two counts of Murder in the 2nd degree, one count of Attempted Murder in the 2nd degree, two counts of Assault in the 1st degree, one count of Assault in the 2nd degree, Criminal Possession of a Weapon in the 4th degree and Endangering the welfare of a child.

Castro, who fled to the Dominican Republic following the fatal stabbing, is being held without bail and is scheduled to be arraigned on the indictment in State Supreme Court, Part A, on Monday, June 21, 2004.

The incident occurred in the victim's apartment on May 13, 2004 when, according to court papers, Vanessa Reynoso was "stabbed numerous times in the head and neck, thereby causing her death". It is also alleged that Castro "struck Miriam Rivas in the head with a sharp object, thereby causing serious physical injury" to his fiancé's mother. The bloody attack occurred in the presence of the defendant's six year old and eighteen month old daughters.

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Castro is facing a maximum sentence of up to 25 years to life imprisonment if convicted of the most serious charge Murder in the 2nd degree, and a maximum sentence of up to 25 years imprisonment on the charges of Attempted Murder in the 2nd degree and Assault in the 1st degree.

The case is being prosecuted by Assistant District Attorney Elizabeth Lorenz of the Domestic Violence Bureau.

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— PRESS RELEASE —

Wednesday, June 9, 2004

SOUTH CAROLINA MAN SENTENCED TO UP TO 24 YEARS

IMPRISONMENT FOR ILLEGAL GUN SALES TO UNDERCOVER DETECTIVE

Bronx District Attorney Robert T. Johnson announced today that a man who illegally sold guns to an undercover detective on seven different occasions, has been sentenced to a term of 8 to 24 years imprisonment by State Supreme Court Justice Dominick Massaro.

Walter Moses, 35, of Anderson, South Carolina, pled guilty on April 30, 2004 to 27 counts of Criminal sale of a firearm in the 3rd degree, a Class D felony offense.

Moses was convicted of selling the guns from the trunk of his car between September 10, 2002 and February 21, 2003. All seven sales occurred at the same location at 173rd Street and Crotona Park East. The guns were purchased legally in South Carolina and transported by car to the Bronx for re-sale by Moses who was not a licensed distributor or vendor of firearms.

The first illegal sale occurred on September 10, 2002 and involved four weapons, one Smith and Wesson .38 caliber revolver; one Charter Arms .38 caliber revolver; one Hi-Point 9 millimeter pistol; and one Hi-Point .380 caliber semi-automatic pistol. Nearly three weeks later, on September 30, 2002, Moses sold the undercover detective another five firearms. The second sale involved one Smith and Wesson 9 millimeter pistol; one Colt .38 caliber revolver; one Taurus .357 Magnum revolver; and two Rossi Interarms .38 caliber revolvers.

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The third illegal sale of firearms occurred on November 17, 2002 when Moses delivered two more guns to the undercover detective. This sale involved one Lorcin 9 millimeter semi-automatic pistol and one Springfield Armory .40 caliber semi-automatic pistol. Moses next met the undercover detective on November 23, 2002 and delivered one Beretta .40 caliber automatic pistol; one Lorcin .380 caliber semi-automatic pistol; and one Taurus .357 Magnum revolver. Two weeks later on December 6, 2002, three more weapons were sold, one Smith and Wesson 9 millimeter semi-automatic pistol; one Jennings .22 caliber semi-automatic pistol; and one Ruger P939 millimeter semi-automatic pistol. On December 22, 2002, one Glock .40 caliber semi-automatic pistol; one Smith and Wesson M6599 millimeter semi-automatic pistol; one Smith and Wesson .357 Magnum revolver; one .32 caliber H&R Inc. revolver; and one Clerke .32 caliber revolver were sold illegally. The final illegal sale to the undercover detective occurred on February 21, 2003 when Moses delivered six more guns. Those weapons were one Smith and Wesson .32 caliber revolver; one Rossi .38 caliber revolver; one Rohm .38 caliber Special revolver; one Rohm GMBH .38 caliber revolver; one Bersa .380 semi-automatic revolver; and one Hi-Point .380 semi-automatic caliber revolver.

The case was prosecuted by Assistant District Attorney Stuart Levy of the Investigations Division's Racket Bureau.

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— PRESS RELEASE —

Wednesday, June 9, 2004

**BROOKLYN MAN IS ARRESTED AND CHARGED WITH CONSPIRING TO
COMMIT MURDER, ROBBERY AND ARSON**

Bronx District Attorney Robert T. Johnson announced today the arrest of a 33 year-old Brooklyn man for allegedly conspiring to rob, murder and burn a neighborhood pizza shop located at 173 Hemlock Street, Brooklyn.

Edmund Melendez, of 22 Adler Place in Brooklyn, was arrested and charged with one count of Conspiracy in the 2nd degree, a Class "B" felony offense. If convicted, Melendez, a persistent violent felony offender, faces a maximum term of up to 25 years imprisonment.

It is alleged that in the vicinity of White Plains Road and Bruckner Boulevard in the Bronx, Melendez met with an undercover police officer from the Bronx DA's Office who he believed to be a "hitman". While plotting the crime, the defendant allegedly suggested that there would be \$50,000 at the location, and provided a diagram of the pizza shop. According to the Criminal Court Complaint, Melendez described in detail how the crime should take place, including a statement that he would "cut their throats, kill them and burn the place". He was then immediately arrested.

Mr. Johnson thanked the Officers of the NYPD Conditions Unit of the 43rd Precinct, and the members of Bronx District Attorney's Detective Investigator's Squad for bringing this case to an expeditious and nonviolent conclusion.

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Assistant District Attorney Daniel Sullivan of the Rackets Bureau will be prosecuting this case.

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— PRESS RELEASE —

Thursday, June 10, 2004

**MANHATTAN GRAFFITI ARTIST CONVICTED OF PAINTING ON PRIVATE
PROPERTY WITHOUT OWNER'S PERMISSION**

Bronx District Attorney Robert T. Johnson announced today that graffiti artist James DeLaVega has been convicted of painting on the wall of a building housing a medical supply business without the owner's permission.

DeLaVega, 32, of 119 East 102nd Street, Manhattan, was found guilty of one count of Attempted criminal mischief, one count of Attempted making graffiti, and one count of Possession of graffiti instruments, following a non-jury trial before Criminal Court Judge Seth Marvin. All three charges are Class B Misdemeanor offences punishable by a maximum sentence of up to 90 days in jail. Sentencing has been set for Thursday, July 29, 2004 in Part AP3.

DeLaVega, who testified, admitted that he did not have permission to paint on the wall. He also told the court that it was not his intention to damage the property which belonged to Borda Products, a medical supply company at 80 Bruckner Boulevard.

District Attorney Johnson said of the verdict: "It's a simple proposition. You need an owner's permission to paint on his or her property. The quality of the artwork does not change that fact."

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The graffiti was painted shortly after midnight on July 17, 2003. A police officer observed DeLaVega with a paint brush in his hand applying white paint to the medical supply company's wall. When confronted, DeLaVega told the officer that he was an artist and that he painted graffiti all over the city.

The case is being prosecuted by Assistant District Attorney Karen Antoine.

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— PRESS RELEASE —

Wednesday, June 23, 2004

**GRAND JURY CHARGES BRONX MAN WITH FIRST DEGREE MURDER IN
THE SHOOTING DEATHS OF HIS WIFE AND HER SISTER**

Bronx District Attorney Robert T. Johnson announced today that a 32 year old man who fled to Puerto Rico following the shooting deaths of his common law wife and her sister, has been indicted on first degree murder charges.

Edelmiro Cesareo, of 187 Throggs Neck Boulevard, the Bronx, was indicted on two counts of Murder in the 1st degree, two counts of Murder in the 2nd degree, two counts of Manslaughter in the 1st degree, Criminal possession of a weapon in the 2nd and 3rd degrees, and two counts of Endangering the welfare of a child.

Cesareo is scheduled to be arraigned on the indictment on July 13, 2004 in State Supreme Court, Part A.

Cesareo allegedly fatally shot his common law wife, Loreen Merchan, 32, during an argument over her sister's extended stays with the couple in their Throggs Neck Boulevard apartment. The sister, Yasmin Merchan, of Waterbury, Connecticut, also was shot to death.

The incident occurred on June 8, 2004 and began with a heated verbal exchange between Cesareo and Yasmin Merchan. Cesareo, who was angry because his sister-in-law would visit from out of town for long periods of time, allegedly held a gun to the woman's head when the

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argument escalated. When Yasmin Merchan challenged Cesareo's manhood by telling him that he did not have the guts to pull the trigger, Cesareo called out to his wife, Loreen Merchan, who was outside on the balcony. When his wife entered the room, he allegedly shot her in the head before shooting Yasmin Merchan, who attempted to aid her sister. The shootings were witnessed by the couple's teenage daughters, one of whom Cesareo allegedly threatened to kill if she told anyone about the shooting. Cesareo fled to Puerto Rico where he was arrested a few days later.

Senior Trial Assistant District Attorney Bruce Birns and Assistant District Attorney Kara Miller of the Domestic Violence Bureau are prosecuting the case.

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— PRESS RELEASE —

Thursday, June 24, 2004

**FORMER DIRECTOR OF FINANCIAL AIDE AT SUNY MARITIME COLLEGE
IS ARRESTED AND CHARGED WITH MULTIPLE COUNTS OF POSSESSING
CHILD PORNOGRAPHY**

Bronx District Attorney Robert T. Johnson announced today that a 34 year-old former Director of Financial Aide at SUNY Maritime College, has been arrested and charged with multiple counts of possessing child pornography on his office computer.

Gregory Stevenson, of 895 Ray Avenue, Union New Jersey, was charged with 40 counts of Possessing an obscene sexual performance by a child, and 40 counts of Possessing a sexual performance by a child. Both charges are class "E" felony offenses punishable by a maximum of 4 years imprisonment on each count.

An internal investigation began in March 2004, after a SUNY Maritime computer technician responded to a routine service call and discovered images of child pornography on the defendant's computer. The technician reported what he had discovered to John Dillon, Chief of Security, SUNY Maritime. Dillon immediately ordered a further investigation of the defendant's hard drive. Upon the conclusion of their internal investigation on March 31, 2004, Stevenson's employment was terminated and the Bronx District Attorney's Office was contacted.

Bronx District Attorney Detective Investigator's began their investigation of the hard drive in April 2004. The forensic investigation of the hard drive is continuing.

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This case is being prosecuted by Assistant District Attorney Pina Terranova of the Arson /
Auto / Economic Crime Bureau.

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Thursday, July 1, 2004

**CONSPIRACY CHARGES FILED AGAINST NINETEEN ALLEGED MEMBERS
OF RIVAL DRUG GANGS IN CONNECTION WITH A FOUR AND A HALF YEAR
LONG STRING OF VIOLENT CRIMES IN THE NORTH EAST BRONX**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted nineteen alleged members of rival violent drug gangs on charges of conspiracy and other offenses that include murder, robbery, assault, weapons possession and illegal drug sales to undercover detectives. The string of crimes occurred in the northeast Bronx neighborhoods of Wakefield, Williamsbridge, Co-op City, Baychester and Fishbay between January 1, 2000 and June 22, 2004. The Edenwald Houses in Wakefield was the epicenter of the gangs' drug dealing.

District Attorney Johnson said: "The residents of the Edenwald Houses and surrounding areas have been innocent victims caught in the crossfire of an ongoing turf war between rival drug gangs, which involved numerous drug related shootings and robberies. The safety of these hard working, law abiding citizens has long been of great concern and therefore it is with a great deal of satisfaction that we announce the indictment of those whom we believe to be responsible for much of this violence."

The conspiracy charges against the nineteen defendants are the result of an eight month joint investigation by the Bronx District Attorney's Office and the New York City Police

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Department. Three murders, half a dozen sales of heroin and crack cocaine to undercover detectives, three armed robberies within a three hour period on the same day, and a home invasion, push in robbery at an apartment at the Edenwald Houses are among the crimes that the gangs allegedly conspired to carry out. Five guns were recovered: a .380 caliber Hi-point; a 9 MM Luger Feather Enterprise; a 9 MM Luger Walther; a defaced 9 MM Ruger semi-automatic pistol; and a 9MM Smith & Wesson, as well as a quantity of ammunition for the illegal firearms. Investigators said evidence indicated that rival gangs or "crews" allegedly headed by Peter Lambert, 22, and Antwan Vereen, 28, were behind the drug related series of crimes.

The grand jury returned a one hundred count indictment charging the defendants with two counts of Conspiracy in the 2nd degree, eight counts of Murder in the 2nd degree, one count of Manslaughter in the 1st degree, one count of Manslaughter in the 2nd degree, three counts of Assault in the 2nd degree, one count of Attempted Assault in the 1st degree, two counts of Robbery in the 1st degree, nine counts of Robbery in the 2nd degree, five counts of Robbery in the 3rd degree, six counts of Attempted Robbery in the 1st degree, six counts of Attempted Robbery in the 2nd degree, one count each of Burglary in the 1st, 2nd and 3rd degrees, one count of Grand larceny in the 3rd degree, three counts of Grand larceny in the 4th degrees, one count each of Criminal possession of stolen property in the 3rd and 4th degrees, one count each of Criminal sale of a controlled substance in the 1st and 2nd degrees, four counts of Criminal sale of a controlled substance in the 3rd degree, one count each of Criminal possession of a controlled substance in the 3rd and 5th degrees, one count of Criminal sale of marijuana in the 4th degree, two counts of

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Unlawful possession of marijuana, eleven counts of Criminal possession of a weapon in the 2nd degree, four counts of Criminal possession of a weapon in the 3rd degree, five counts of Criminal possession of a weapon in the 4th degree, three counts of Possession of ammunition, one count of Unlawful wearing of a body vest, and one count of Resisting arrest.

The most serious charges of Murder in the 2nd degree and Criminal sale of a controlled substance in the 1st and 2nd degrees, are Class A-I and A-II felony offenses punishable by a maximum sentence of 25 years to life imprisonment.

The first of the homicides charged in the indictment was a double murder on November 3, 2003 in a playground on Bivona Street at the Boston Secor Houses, a development near the Edenwald Houses. Kristopher Jiminez, 18, and Robert Melendez, 25, were shot and killed during an attempted robbery. The fatal shootings occurred shortly before the afternoon dismissal of students at a nearby school. Apolinar Roque, 19, and Marlon Henry, 19, have been charged with the murders. A third murder occurred the following month on December 30, 2003 during a gang related shootout on the grounds of the Edenwald Houses. Antwan Vereen, Peter Lambert, and Darryl Greymon, 17, were charged with murder in the death of Ricardo Chavis, 21.

Several alleged gang members also were charged with three separate armed robberies committed on the same day during a three hour period. It is alleged that Devon Brown, 32, Marlon Henry, 19, and Bessie Bryant, 21, robbed several people at gunpoint after driving around the neighborhood looking for potential victims. This series of robberies began a little after seven p.m. on September 29, 2003 on East 220th Street and White Plains Road where a 20 year old boy

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had a gold chain necklace ripped from his neck while walking with his grandmother. Three hours later Henry, Brown and Bryant allegedly robbed a group of people who were standing around socializing in front of 140 Bellamy Loop at Co-op City. Bryant's job allegedly was to approach the group, survey their personal property and report back to Henry and Brown who waited in the car before allegedly robbing the group of money, jewelry and some clothing. The defendants allegedly fired shots as they were leaving in order to further intimidate the victims, one of whom had attempted to flee. No one was injured. The third robbery followed the same pattern and occurred about twenty minutes later in front of 3055 Bouck Avenue. Money and jewelry were taken from a group of people, who first were checked out by the alleged gunmen's female accomplice.

Several defendants also have been charged with a laundry list of offenses involving the illegal sale and possession of narcotics, as well as the possession of marijuana. During the course of the investigation, undercover detectives purchased a total of approximately four ounces of heroin and crack cocaine on six different occasions. The most serious drug offenses are punishable by a maximum penalty of 25 years to life imprisonment.

In an incident on January 6, 2004, a group of armed men wearing masks allegedly used a woman as a decoy in order to gain access to a man's apartment at the Edenwald Houses. Once inside, the gang, including Antwan Varen allegedly restrained and threatened two occupants before fleeing with their valuables.

Following are the nineteen defendants who have been charged with conspiracy, and at

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least one or more of the various other offenses contained in the indictment:

<u>Defendant</u>	<u>Date of Birth</u>	<u>Address</u>
1. Gordon Abernathy	03/02/1985	1154 East 229 th Drive, Bronx
2. Darnell Antonetti	09/28/1984	1020 Trinity Avenue, Bronx
3. Devon Brown	04/16/1972	3475 Bivona Avenue, Bronx
4. Bessie Bryant	10/14/1986	3865 Baychester Avenue, Bronx
5. Troy Grant	09/10/1984	1138 East 229 th Street, Bronx
6. William Grant	12/21/1983	1159 East 229 th Street, Bronx
7. Darryl Greymon	07/04/1986	1160 East 223 rd Street, Bronx
8. Marlon Henry	09/14/1984	1958 Adee Avenue, Bronx
9. Sean Henry	07/25/1987	1958 Adee Avenue, Bronx
10. Askia Hinton	05/27/1983	1107 East 229 th Street, Bronx
11. Jerome Lambert	05/13/1980	1965 Schiefflin Avenue, Bronx
12. Marvin Lambert	04/15/1984	1965 Schiefflin Avenue, Bronx
13. Peter Lambert	01/02/1982	1965 Schiefflin Avenue, Bronx
14. Anthony Parker	03/10/1972	53 Floyd Street, Deer Park, N.Y.
15. Bryan Prescott	11/04/1983	1181 East 225 th Street, Bronx
16. Waldy Quijano	04/18/1985	3881 Baychester Avenue, Bronx
17. Tivon Rice	12/16/1982	1236 Burke Avenue, Bronx
18. Apolinar Roque	11/18/1984	1165 East 229 th Street, Bronx
19. Antwan Vareen	08/30/1975	908 East 222 nd Street, Bronx

District Attorney Johnson noted that the charges against these nineteen individuals are the

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result of the hard work and cooperative efforts of the Bronx Homicide Task Force, NYPD's Bronx Narcotics Division, Bronx Robbery Squad, Housing Bureau PSA 8, the 47th Precinct Detective Squad and Intel Unit and the Bronx DA's Gang/Major Case Bureau, Assistant District Attorney Edward Talty, Chief, and Assistant District Attorney Edward Friedenthal, Counsel.

The case is being prosecuted by Assistant District Attorneys Kristin Milano, Susanne Cichanowicz and John Tseng.

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— PRESS RELEASE —

Thursday, July 8, 2004

**MAN WHO STOLE ELDERLY WOMAN'S HOME SENTENCED TO UP TO
FIFTEEN YEARS IMPRISONMENT AFTER FAILING TO MAKE RESTITUTION**

Bronx District Attorney Robert T. Johnson announced today that Ronald Massagli was sentenced to a maximum term of five to fifteen years imprisonment for violating the terms of probation that he received for stealing an elderly woman's home.

Massagli, 31, of 3109 Roberts Avenue, the Bronx, pled guilty to one count of Grand larceny in the 2nd degree on February 14, 2003. Massagli admitted that he had forged the 82 year old victim's signature on the deed to her house and then profited by selling the property, after discarding all of the elderly woman's earthly possessions. The Bronx District Attorney's Office recommended that Massagli be sentenced to a term of two to six years imprisonment. State Supreme Court Justice Dominick Massaro, however, over the People's strong objections, sentenced Massagli to six months in jail, four and a half years probation and payment of \$50,000 restitution to cover the loss of the victim's personal property. Massagli still owes nearly \$35,000. The house itself was returned to the victim since it was never legally the defendant's property to sell.

Massagli, after failing to make full restitution, and failing repeatedly to report to the Department of Probation, was sentenced today to serve five to fifteen years imprisonment, the

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maximum term allowed by law for a Class C felony offense.

The scam was hatched during the Summer of 2001 when the defendant was working as a handyman for one of the victim's neighbor's. Massagli asked about the victim's property which appeared to be abandoned and was told that the owner, Anna Pead, was in a nursing home. Massagli visited the victim at the nursing home in July 2001 and asked if she would be interested in selling the house, which was valued at nearly \$250,000. Pead told the defendant no and reported the incident to her social worker, however it was not until nearly a year later, in the Spring of 2002, that the theft came to light. Pead received a bill from the New York City Department of Environmental Protection and noticed that she was no longer listed as the owner of the house. Pead got in touch with her lawyer who contacted the Bronx District Attorney's Office.

The theft of the property was uncovered during a follow up investigation by the NYPD Detectives assigned to the Bronx District Attorney's Squad. It was discovered that Massagli had forged the victim's signature on the deed. The house was later sold for \$50,000 and remodeled. The interior was gutted and the woman's possessions, including furniture, clothes, photographs and memorabilia, were thrown away.

The case was prosecuted by Assistant District Attorneys Earamichia Brown and Daniel Wanderman.

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— PRESS RELEASE —

Wednesday, July 14, 2004

**BRONX MAN IS SENTENCED IN ABSENTIA TO TWENTY YEARS
IMPRISONMENT**

Bronx District Attorney Robert T. Johnson announced today that 32 year-old Robisson Santos, of the Bronx, has been sentenced in absentia, to a term of twenty years imprisonment for the December 2002 stabbing of two Bronx auto-mechanics.

A jury found Santos, of 4030 Carpenter Avenue, guilty last month of one count of Assault in the 1st degree, a class "B" felony offense, and 1 count of Attempted Assault in the 1st degree, a class "C" felony offense. Santos, who was free on \$10,000 bail, fled once he heard that the jury had reached a verdict. A bench warrant was issued for his arrest.

State Supreme Court Justice Harold Silverman sentenced Santos to concurrent terms of twenty years imprisonment on the charge of Assault in the 1st degree, and fifteen years imprisonment on the charge of Attempted Assault in the 1st degree.

The incident occurred on December 14, 2002, when the defendant became enraged over not finding a parking spot in a garage located at 2355 Webster Avenue. Santos, while still sitting in his vehicle with a passenger, began arguing with Yumarbis Hernandez, 26 and Elvin Mirabel, 33, and attempted to hit Mirabel with his car. When Mirabel jumped out of the path of the oncoming car, Santos jumped out of the vehicle with a knife in his hand and began to attack Mirabel, who had

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fallen to the ground. Mirabel was stabbed six times in the legs while trying to kick the knife out of the defendant's hand. After stabbing Mirabel, Santos ran behind Hernandez, who was holding the unidentified passenger, and stabbed Hernandez in the back, perforating his colon. Hernandez suffered permanent injuries requiring multiple surgeries and is currently disabled.

Santos and the unidentified passenger fled. Police impounded the vehicle, which was left behind, and arrested Santos a few hours later when he attempted to recover the impounded car.

This case was prosecuted by Assistant District Attorney Troy A. Smith.

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— PRESS RELEASE —

Monday, July 19, 2004

**FORMER POLICE OFFICER IS SENTENCED TO FOUR YEARS
IMPRISONMENT FOR VEHICULAR ASSAULT IN THE 2ND DEGREE**

Bronx District Attorney Robert T. Johnson announced today that former New York City Police Officer Michael Lombardy, 47, of the Bronx, has been sentenced to a term of four years imprisonment for the March 2004 "hit and run" accident that left two young pedestrians seriously injured.

Lombardy of City Island, pled guilty last month to two counts of Vehicular assault in the second degree, a class "D" felony offense. Under the terms of the plea agreement, State Supreme Court Justice Lawrence H. Bernstein sentenced Lombardy to a term of four years imprisonment.

The incident occurred on March 27, 2004, in the vicinity of White Plains Road and McGraw Avenue. Police Officer Nathaniel Anthony, according to court papers, observed Lombardy driving erratically with no headlights on, while sticking his head out of the driver's side window. The front windshield was shattered. Officer Anthony said a witness approached him and reported that the car Lombardy was driving had struck two pedestrians at Castle Hill and St. Raymond Avenues and did not stop.

Lombardy continued driving and still failed to stop after running two red lights while Officer Anthony pursued him in a marked police vehicle with his lights and sirens operating. The defendant

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was apprehended when his car was overtaken and cut off by the police vehicle. The arresting officer said that defendant's speech was slurred and incoherent; his eyes were watery and bloodshot and there was a strong distinctive smell of alcohol on his breath. There was also blood on Lombardy's face and on the steering wheel of his car, according to court papers.

The victims, Michael Castano, 21, and Suehaye Santiago, 19, were taken to Jacobi Hospital where they were admitted in critical condition. Castano has had multiple surgeries to repair his broken legs and remains in a wheelchair. Santiago suffered head injuries, a broken leg and broken arm. As a result of her injuries, Santiago also suffered a stroke leaving the left side of her body partially paralyzed, and blind in the left eye. Santiago also has metal plates and pins in her left arm and leg, and remains wheelchair bound.

Assistant District Attorney Nadia Chanza of the Trial Bureau prosecuted this case.

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— PRESS RELEASE —

Monday, July 26, 2004

**LIVERY CAB DRIVER CHARGED IN HIT AND RUN INJURY OF A
PASSENGER FOLLOWING FARE DISPUTE IN INCIDENT WITNESSED BY TWO
BRONX ASSISTANT DISTRICT ATTORNEYS**

Bronx District Attorney Robert T. Johnson announced today that two Assistant District Attorneys assisted police in apprehending a livery cab driver, who allegedly fled the scene of an accident after a passenger was injured during the course of a fare dispute.

Mirza Munir, 29, of 1725 Taylor Avenue, the Bronx, has been charged with Assault in the 2nd and 3rd degrees, Reckless endangerment in the 1st degree, Criminal possession of a weapon in the 4th degree, Menacing, Leaving the scene of an incident without reporting, and Harassment in the 2nd degree.

Munir is facing a maximum sentence of up to 7 years imprisonment if convicted of the most serious charge of Assault in the 2nd degree, a Class D felony offense. Munir was released on his own recognizance by Criminal Court Judge John Moore.

The incident occurred on Friday, July 23, 2004 during a fare dispute with Elizabeth Morales near the intersection of Robinson and Harding Avenues in the Throggs Neck section of the Bronx. Morales, according to court papers, was standing with her left leg on the ground outside the cab with her right leg still inside the vehicle and her right arm through the open rear

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window of the cab. Munir allegedly drove away dragging Morales to the ground and failed to stop to render aid or to provide his identification, information regarding his insurance, driver's license, or vehicle registration.

Bronx Assistant District Attorneys Yadhira Gonzalez-Taylor and Belinda Delgado witnessed the incident while riding in a vehicle that was behind the livery cab. Delgado was driving and followed the fleeing cab while Gonzalez-Taylor called 911 to report the incident. When traffic came to a stop at a red light, ADA Gonzalez-Taylor jumped out of the car and got into the cab. She pretended to be a passenger and asked to be taken to the 52nd precinct. ADA Delgado, meanwhile, continued to follow the cab and managed to flag down a passing NYPD patrol car. Munir was arrested when the Assistants told the officers what had occurred.

The victim, Elizabeth Morales, was taken to a hospital and treated for pain, soreness, swelling and bruising to her right arm, hip, leg, and rib area. She also sustained torn ligaments and muscles in her rib area, and bleeding from the muscle in her right forearm.

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Wednesday, July 28, 2004

GRAND JURY FILES ENTERPRISE CORRUPTION CHARGES FOLLOWING
TWO YEAR INVESTIGATION INTO NEARLY FIVE MILLION DOLLAR A YEAR
FAMILY RUN ILLEGAL NUMBERS OPERATION

Bronx District Attorney Robert T. Johnson announced today that a two year investigation has led to the dismantling of a nearly five million dollar a year illegal numbers operation that conducted business at dozens of locations in the Bronx, Manhattan, Brooklyn and Queens.

The investigation resulted in the indictment of seven people on one count of Enterprise Corruption, a Class B felony offense punishable by up to 25 years imprisonment, and six counts of Promoting Gambling in the first degree, a Class E felony offense punishable by up to 4 years imprisonment. If the defendants are found guilty of Enterprise Corruption, criminal forfeiture proceedings could be initiated in an effort to seize any assets that were acquired with the profits from the gambling operation. All seven defendants share familial ties with one another, either as a blood relative, a spouse or a girlfriend. They were arrested during the execution of search warrants at twenty four separate locations, including private homes, policy banks and storefront locations where bets were placed. Investigators recovered more than \$108,000 in cash, six vehicles, and two guns. Additional cash is expected to be recovered following the execution of search warrants for two bank deposit boxes.

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District Attorney Johnson said: “ Unlike the legal numbers run by the New York State Lottery Commission, revenue generated through this illegal enterprise is not earmarked for education, public safety or any other state funded service. Instead, our citizens’ hard earned money was amassed ‘tax free’ for the sole benefit of the defendants.”

New York City Police Commissioner Raymond W. Kelly said: “This illegal family business was no ‘mom and pop’ operation. It included over one hundred locations in four boroughs. Thank you to the members of the Police Department and the Bronx DA’s Rackets Bureau for their outstanding work shutting this ring down.”

In addition to the seven alleged key members of the ring who have been indicted, seventeen other lower level employees of the organization were also taken into custody during the execution of search warrants at various locations. Fourteen are facing misdemeanor gambling charges in Manhattan. Two have been charged in Queens and one is being charged in Brooklyn.

The investigation, conducted jointly by the New York City Police Department’s Organized Crime Control Bureau and the Bronx District Attorney’s Rackets Bureau, began in July 2002 and involved the use of electronic surveillance, visual surveillance, telephone records and court ordered wiretaps. On several occasions during the course of the investigation, undercover detectives also placed bets at various locations where lower level employees collected the policy slips and passed on betting information to the policy banks via telephone. Evidence from the investigation indicated that the enterprise generated profits of approximately

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\$400,000 a month, excluding overhead for the rental and maintenance of storefront locations, and salaries for numerous employees. It is believed that the enterprise controlled approximately 110 locations in four boroughs, some 80 of which investigators were able to identify after breaking a coded list of the locations.

Nelson A. Perez, 63, of Valley Cottage, New York allegedly controlled the policy ring and made all tactical and strategic decisions regarding its to day to day operations. Nelson Perez, 40, of New City, New York, Joel Contreas, 34, of North Bergen, New Jersey, Nelson Rosario Jr., 24, of 53-55 East 130th Street, Manhattan, and Luis Rosario, 23, of 228 Naples Terrace, the Bronx, allegedly worked as runners. They were responsible for collecting and transporting gambling revenue from the storefront locations to the "banks" and paying out the cash prizes to winners who "hit" the number. Perez and Contreas are the son and nephew of the elder Perez. Nelson Rosario Jr. and Luis Rosario are the sons of the elder Perez' girlfriend who also was indicted.

Griselda Rosario, 48, who lives with the elder Perez, and Mariana Aguilar, 49, of New City, New York, the live in girlfriend of the younger Perez allegedly managed two of three policy banks where the gambling proceeds were kept.

District Attorney Johnson thanked members of his staff and the New York City Police Department for their hard work on the investigation; Chief Douglas Zeigler, NYPD Organized Crime Control Bureau, Inspector Christopher Rising, Commanding Officer NYPD Vice Enforcement Division, Lt. James Kimmel, Commanding Officer NYPD Bronx Vice

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Enforcement Squad, Assistant District Attorney Stephen Bookin, Chief, Investigations Division, and Assistant District Attorney Thomas Leahy, Chief, Rackets Bureau.

Mr. Johnson expressed special appreciation for the effort and dedication of Detectives Edmond Brosnan, Michael Young and Jose Romero, NYPD Vice Enforcement Squad, Assistant District Attorney Eric Hirsch, Deputy Chief, Rackets Bureau, Assistant District Attorney Rachel Singer, Rackets Bureau, Julio Santiago, Forensic Accountant, Investigations Division.

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— PRESS RELEASE —

Monday, August 2, 2004

**PUTNAM COUNTY WOMAN WHO HAD REPRESENTED NUMEROUS
CLIENTS IN COURT IN BRONX CASES, HAS BEEN CONVICTED OF PRACTICING
LAW WITHOUT A LICENSE**

Bronx District Attorney Robert T. Johnson announce today that a woman who had been employed as an attorney by Bronx Defenders, has been convicted of practicing law without a license.

Diane Shamis, of East Carmel, New York, pled guilty to one count of Practicing or Appearing as Attorney-at-law without being admitted. Shamis, 46, pled guilty to the single misdemeanor count before Criminal Court Judge Fernando Tapia and was sentenced to a Conditional Discharge. The judge also imposed a fine of \$500.

Shamis was a law school graduate and had passed the New York State Bar Examination in July 1996. However, she was never certified for admission to practice law in New York State. Shamis was not approved for admission to the Bar, because she never submitted the required paper work to the Bar Association's Character and Fitness Committee.

The defendant worked for The Bronx Defenders, representing clients in court, until it was discovered that she was not licensed to practice law.

Assistant District Attorney Stuart Levy prosecuted the case.

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— PRESS RELEASE —

Friday, August 6, 2004

**FORMER SCHOOL TEACHER FACING UP TO FOURTEEN YEARS
IMPRISONMENT FOLLOWING HIS CONVICTION ON CHARGES OF SODOMY
AND SEXUAL ABUSE OF YOUNG STUDENTS**

Bronx District Attorney Robert T. Johnson announced today that a former New York City public school teacher has been convicted of sodomy and sexual abuse involving three young boys.

Gary Coleman, 52, of 1350 Webster Avenue, the Bronx, was found guilty on two counts of Sodomy in the 2nd degree, four counts of Sexual Abuse in the 2nd degree, and three counts of Endangering the Welfare of a Child. Coleman was convicted following a non jury trial before State Supreme Court Justice Margaret Clancy. The judge set sentencing for Monday, August 23, 2004 in Part T6. Coleman is facing a maximum term of up to fourteen years imprisonment if consecutive sentences are imposed on the most serious charges of Sodomy in the 2nd degree, a Class D felony offense.

The incidents of sodomy and sexual abuse occurred between January 1, 2003 and May 31, 2003, either in the defendant's classroom at Intermediate School 158 or in his office at a community center at Webster and Clermont Avenues, where he coached a neighborhood basketball team: Coleman, a mathematics teacher, also coached the school basketball team and

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taught math to two of the victims. He coached all three. Coleman paid the victims, a 12 year old boy and two 14 year old boys, amounts ranging from \$20 to \$200 for sexual favors.

The crimes came to light during a basketball game in June 2003 when the boys told Coleman that they were going to play on another team. Coleman became upset and began yelling at the boys in such an abusive manner that their coach for the opposing team became concerned and questioned the boys about the reason for Coleman's behavior. The incidents were reported to the Special Commissioner of Investigation for the New York City School District who looked into the allegations and referred the matter to the Bronx District Attorney's Office for prosecution.

The case is being prosecuted by Assistant District Attorney Scott Anderson of the Child Abuse / Sex Crimes Bureau.

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— PRESS RELEASE —

Tuesday, May 04, 2004

**FORMER MIDDLE SCHOOL MATH TEACHER IS SENTENCED TO A TERM
OF UP TO SIX YEARS PROBATION FOR SEXUALLY ABUSING A 14 YEAR-OLD
STUDENT**

Bronx District Attorney Robert T. Johnson announced today that Geraldine Malave, a former middle school math teacher at I.S. 339 in the Bronx, has been sentenced for the sexual abuse of a 14 year-old student.

Acting State Supreme Court Justice Steven L. Barrett sentenced Malave, 34, of 2165 Ryer Avenue, who pled guilty last February to one count of Sexual abuse in the 2nd degree, to a term of six-years probation. The defendant was also ordered to register as a level one sex offender for a period of 10 years, and a six year order of protection has been issued to the victim. In addition, the defendant signed a letter permanently revoking her teaching license.

New York City Police Officer's arrested Malave on June 11, 2003 after the Special Commissioner's Office of the Board of Education notified the Bronx District Attorney's Office that the child's mother came forward with a substantial complaint. A subsequent investigation revealed that Malave had sent a sexually explicit e-mail to the victim. In addition, Malave kissed the victim on numerous occasions.

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This case was prosecuted by Assistant District Attorney Johanna Hernandez of the Domestic
Violence / Sex Offense Bureau.

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— PRESS RELEASE —

Thursday, August 12, 2004

FORMER CITY CORRECTION DEPARTMENT CHIEF ANTHONY SERRA
CHARGED WITH STEALING THOUSANDS OF DOLLARS FROM GOVERNOR
GEORGE PATAKI'S 2002 RE-ELECTION CAMPAIGN COMMITTEES

Bronx District Attorney Robert T. Johnson, and New York City Department of Investigation Commissioner Rose Gill Hearn, announced today that new charges of grand larceny and conflicts of interest have been filed against Anthony Serra, former high ranking chief at the City Jail on Rikers Island.

A Bronx grand jury has returned a 146 count indictment charging Serra with one count of Grand larceny in the 2nd degree, a Class C felony offense, and 145 counts of Violating the Conflicts of Interest Law, a Class A misdemeanor offense. If convicted, Serra would be facing a maximum sentence of up to 15 years imprisonment on the grand larceny charge, and up to a year in jail on the conflict of interest charges. Serra could also be fined as much as \$5,000 on each of the 145 conflict of interest counts. These charges involve illegal activities that occurred between June 1, 2002 and September 30, 2002.

District Attorney Johnson said: "The bottom line of these allegations is that the New York City Department of Correction employees and resources were improperly used for political purposes. Anthony Serra misused his position at DOC as well as his time on the clock. His

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actions caused numerous subordinates to take days off from work, which in turn placed a strain on manpower at Rikers Island. The Pataki campaign paid out thousands of dollars for a bogus expense, for a service that it could have received for free. Clearly the major beneficiary of this arrangement was Anthony Serra.”

It is alleged that Serra stole more than \$50,000 from political campaign committees that were organized on behalf of New York State Governor George Pataki’s re-election in 2002. The indictment also alleges that Serra violated the conflict of interests law in that he “entered into a business and financial relationship with Friends of Pataki Committees and received payment for performing activities in support of George Pataki’s political campaigns for the Independence Party and the Conservative Party nominations for Governor of the State of New York, by designing, organizing or executing a poll watching operation, during times when he was required to perform services for the City of New York in his position as Chief of the Bureau of Management and Planning of the New York City Department of Correction.”

Serra has been charged with improperly using his influence to recruit subordinates ranging from wardens, assistant deputy wardens, captains, correction officers and civilian employees of the Department of Correction, to work as “volunteers” in a poll watching operation on behalf of Governor Pataki’s primary election campaigns to win the Conservative Party and Independence Party nominations for governor.

The Conflicts of Interest Law prohibits a New York City employee from asking a subordinate to do political work; work from which the official will benefit either financially or

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otherwise; or work that is not related to official responsibilities.

It is alleged that Serra received nearly \$200,000 from the Friends of Pataki Committees to cover expenses for the poll watching operation that was set up for Primary Day on September 10, 2002. The expenses included the rental of some one hundred cars that were used to drive poll watchers to election sites on primary day on September 10, 2002. Approximately \$62,500 was supposed to be used to pay the workers recruited by Serra. However Serra, according to the investigation, had subordinates sign on as "volunteers" even though he told the various Pataki campaign committees that they were being paid \$100 apiece for their services. Serra allegedly kept that money for his personal use.

This new indictment was the result of an ongoing joint investigation by the Bronx District Attorney's Office and the New York City Department of Investigation, which resulted in two other indictments charging Serra with grand larceny; The first indictment was handed down in February 2003 and the second in July 2003. Serra is still awaiting trial on those charges which involved his alleged use of Department of Correction equipment and workers, who were on duty at the time, to make repairs and maintain the grounds at his home in Mahopac, New York. Serra also allegedly used City employees to run errands for his family.

Senior Trial Assistant District Attorney Donald Levin of the Investigations Division is prosecuting the cases against Serra in the indictments of March and July of 2003. The case involving this most recent indictment is being prosecuted by Assistant District Attorney Samuel Ramer of the Rackets Bureau.

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District Attorney Johnson and Commissioner Hearn thanked members of the Bronx DA's Investigations Division, Inspector General Michael Caruso of DOI's Office of Inspector General for the Department of Correction and members of his staff for their hard work and dedication.

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— PRESS RELEASE —

Wednesday, August 11, 2004

**VERIZON COIN BOX COLLECTOR AND THREE OTHERS CHARGED WITH
GRAND LARCENY IN THEFT OF MORE THAN \$50,000 FROM PAY TELEPHONES**

Bronx District Attorney Robert T. Johnson announced today that a Verizon Telephone Company employee and three other men have been arrested and charged with stealing more than \$50,000 from Verizon since April 2004. Although the charges only cover a four month period from April 15, 2004 through August 10, 2004, the defendants are suspected of having engaged in this criminal conduct for many years costing Verizon hundreds of thousands of dollars.

Mario Colon, 35, of 1470 Parkchester Road, the Bronx, Edison Burgos, 32, of 231 Graff Avenue, the Bronx, and Raphael Burgos, 31, of 1000 Balcom Avenue, the Bronx, have been charged with Grand larceny in the 2nd degree, a Class C felony offense punishable by a maximum sentence of up to fifteen years imprisonment. Louis Ortiz, 30, of 2067 Hering Avenue, the Bronx has been charged with Grand larceny in the 3rd degree, a Class D felony offense punishable by a maximum sentence of up to 7 years imprisonment.

The defendants are charged with "acting in concert" in the theft of more than \$50,000 from Verizon. It is alleged that Colon, a coin box collector for the company, discovered a way to open the locked boxes on the telephones that he serviced. During the investigation, surveillance

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teams observed Colon siphoning some of the coins from the boxes into a canvas bag. Colon would then contact one of the three other defendants by telephone and arrange a meeting to drop off the canvas bag containing the day's take. From there Colon would drive his company truck back to the Verizon garage and turn in the remaining coins.

The defendants are believed to have used the stolen money to purchase plasma televisions, expensive jewelry, and high end appliances; purchase and lease expensive cars including a Land Rover and Mercedes Benz; renovate kitchens and bathrooms in their homes; and pay for trips to Las Vegas and Atlantic City.

Detective Investigators from the Bronx District Attorney's Office arrested Colon on his collection route at the corner of Havermeier and Lafayette Avenues. A search warrant executed at his home resulted in the recovery \$18,000 in cash in his bedroom as well as jewelry and a ledger containing records of proceeds that he had received since December 2003.

Edison Burgos was arrested on the street in front of 2232 Bruckner Boulevard. Burgos, at the time of his arrest, was in possession of \$4,500 in coins and \$3,500 in cash. Detective Investigators recovered an additional sum of approximately \$1,800 in cash at his home during the execution of a search warrant.

Raphael Burgos was arrested in front of his home at 1000 Balcom Avenue where investigators made a video tape of renovations to the home during the execution of a search

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warrant.

Ortiz, who allegedly was observed by investigators receiving stolen coins from Colon, surrendered at the Bronx District Attorney's Office after learning that detectives wanted to speak with him.

The investigation by Bronx D.A. Detective Investigators is continuing. It began as a result of information provided by Verizon Public Communications Internal Security.

Assistant District Attorney Daniel Sullivan of the Rackets Bureau is prosecuting the case.

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— PRESS RELEASE —

Tuesday, August 17, 2004

**A BRONX JURY CONVICTS A BROOKLYN MAN FOR RAPING AND
SODOMIZING NINE WOMEN IN THE BRONX OVER A TEN YEAR PERIOD**

Bronx District Attorney Robert T. Johnson announced today that a 36 year-old Brooklyn man has been convicted of multiple counts of rape, sodomy and escape, in connection with nine separate attacks against Bronx women over a ten-year period.

Luis Acosta, of 1169 Flatbush Avenue, Brooklyn was found guilty of 14 counts of Rape in the 1st degree under two theories, 5 counts of Sodomy in the 1st degree and 1 count of Escape in the 1st degree, in the rapes of nine Bronx women.

Under one theory, Acosta was convicted of 10 counts of Rape in the 1st degree, in that the defendant engaged in sexual intercourse by forcible compulsion; under the second theory, Acosta was convicted of 4 counts of rape in the 1st degree by engaging in sexual intercourse with someone incapable of consent by reason of being physically helpless.

State Supreme Court Justice Dominic R. Massaro set sentencing for Tuesday, September 14, 2004 in Part T14. Acosta is facing a maximum term of up to life imprisonment on consecutive sentences for the charges of rape.

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This conviction covers a crime spree that began on December 1, 1993 and ended on February 26, 2002. The victim's of the sexual attacks ranged in age from 13 to 58. All but two of the attacks were at knifepoint; five of the victims were choked into unconsciousness. The attacks occurred on rooftops, apartments and alleyways, between the hours of 5:00AM and 9:00PM. Acosta, who never covered his face during the attacks, was also linked to all the victims by DNA evidence.

Six weeks after repeatedly raping and sodomizing his last victim, a 13 year-old girl, Acosta approached the victim on the street and asked her if she was pregnant. The incident was reported and the girl was placed under police surveillance. When Acosta again approached the girl on May 6, 2002, he was immediately apprehended by the police. During questioning, a DNA sample was obtained from Acosta who later escaped and remained at large until detectives tracked and apprehended him in November 2002.

Acosta is still awaiting trial in connection with charges involving attacks in Queens County, New York.

Senior Investigative Assistant District Attorney Astrid A. Borgstedt, of the Child Abuse / Sex Crimes Bureau and Amy E. Larson of the Domestic Violence Bureau prosecuted this case.

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— PRESS RELEASE —

Thursday, August 19, 2004

**GRAND JURY INDICTS MANHATTAN MAN ON CHARGES OF
CRIMINALLY NEGLIGENT HOMICIDE**

Bronx District Attorney Robert T. Johnson announced today that a 41 year-old Manhattan man has been indicted and charged with allegedly killing a 21 year-old Bronx man while driving an ambulette this past April.

Kevin Jones, of 202 St. Nicholas Avenue, Manhattan, was indicted on one count of Criminally negligent homicide, a class "E" felony offense, in the death of Jose Vladimir Rosario. Jones, a mandatory persistent violent felony offender, faces a maximum term of up to 25 years to life imprisonment if convicted.

Arraigned before State Supreme Court Justice Edward M. Davidowitz, bail was set at \$10,000 cash or bond. Jones is scheduled to return to State Supreme Court on Monday, September 13, 2004 in Part M20.

The incident occurred on April 23, 2004 when, according to court papers, the arresting officer saw the defendant traveling at a high rate of speed, northbound on the Grand Concourse at East 156th Street. Witnesses stated that the vehicle driven by the defendant jumped the curb, hit the building, and then struck Rosario, killing him.

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Senior Trial Assistant District Attorney Gary R. Weil of the Trial Bureau will be prosecuting this case.

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Friday, August 27, 2004

**BRONX WOMAN CHARGED WITH MURDER IN THE DEATH OF HER
SEVEN YEAR OLD DAUGHTER**

Bronx District Attorney Robert T. Johnson announced today that the mother of a seven year old girl, who was found dead on the bathroom floor in their apartment last year, has been charged with murdering the child “in a manner evincing a depraved indifference to human life”.

Danielle Cohen, 34, was indicted on one count of Murder in the 2nd degree following a 15 month long investigation into the circumstances surrounding the death of Alise Nelson, 7, in May, 2003. Cohen was arraigned in State Supreme Court before Justice Dominick Massaro who ordered the defendant held without bail.

The child was pronounced dead by Emergency Medical Service paramedics on May 25, 2003, when they arrived at the defendant’s home at 3232 Hull Avenue, the Bronx after she had placed a call to 911. The girl’s body, already stiff in rigor mortis, was found in the bathroom on the floor. “Homicidal asphyxia” was the cause of death, according to the Medical Examiner. The defendant was home alone with the victim when death occurred and crime scene investigators found no evidence of forced entry.

Assistant District Attorney Elisa Koenderman, Chief of the Child Abuse / Sex Crimes Bureau is prosecuting the case.

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— PRESS RELEASE —

Monday, August 30, 2004

**RIKERS ISLAND JAIL GUARD PLEADS GUILTY IN THEFT OF VALUABLE
CITY OWNED ARTWORK DONATED BY SALVADOR DALI**

Bronx District Attorney Robert T. Johnson announced today that New York City Correction Officer Timothy Pina has pled guilty to one count of Grand larceny in the 3rd degree for his role in the theft of valuable artwork that was donated to the City by Salvador Dali, the surrealist artist.

Acting State Supreme Court Justice Steven Barrett set sentencing for Thursday, September 9, 2004 in Part M60. Under terms of the plea agreement, Pina will be sentenced to five years probation, and will resign from the New York City Department of Correction. Pina, a 45 year old Staten Island resident, has been a correction officer since December 8, 1988.

Pina admitted that he had "acted in concert" with others in stealing the valuable artwork which had been on display in a public area near the entrance of the Eric M. Taylor Detention Center at the City Jail on Rikers Island. The untitled Surrealist artwork had an appraised value of \$250,000 and was discovered missing on March 1, 2003. A copy had been substituted for the original "Dali" which the artist had given to the Department of Correction in 1965 when illness prevented him from making a scheduled visit to Rikers Island.

The still missing stolen artwork is a gouache mixed media composition in India ink and

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pencil on board, depicting the crucifixion of Christ. It measures 59 x 39 ½ inches and is in a carved, stained, and glazed mahogany wood frame.

Mitchell Hochhauser, a former Assistant Deputy Warden, pled guilty in June 2003 to one count of Attempted Grand Larceny in the 2nd degree and is currently serving a term of up to three years in state prison for his role in the theft.

Another former Assistant Deputy Warden Benny Nuzzo was acquitted last June of all charges following a month long trial.

A fourth defendant, Correction Officer Gregory Sokol, 39, of Staten Island, is still awaiting trial.

The charges against all four Department of Correction employees were filled following a three and a half month joint investigation with the New York City Department of Investigation.

Senior Trial Assistant District Attorney Donald Levin of the Investigations Division is prosecuting the case.

06/7/2004



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— PRESS RELEASE —

Wednesday, September 8, 2004

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of 58 new Assistant District Attorneys.

The new ADAs began a three-week training program under the supervision of Assistant District Attorney Cari E. Ferreiro, Director of Litigation Training, on Tuesday, September 7, 2004. The intensive program combines courtroom observation with lectures in criminal court practice.

The following is a list of the new Assistants and their law schools:

Cassandra Abodeely	Fordham University School of Law
Rither Alabre	Hofstra University School of Law
Tatia Barnes	Fordham University School of Law
Crystal Barrow	Pace University School of Law
Jennifer Benischek	St. John's University School of Law
Yoshi Bird	University of Michigan Law School
Martha Bodhnarain	New York Law School
Robin Burgess	City University of New York School of Law (CUNY)
Robert Caliendo	Brooklyn Law School
Jean-Louis Cauvin	Georgetown University Law Center
Jennifer Cervone	Pace University School of Law
Gerald Cohen	Benjamin N. Cardozo School of Law
Clorisa Cook	Albany Law School
Agata DiGiovanni	University of California, Los Angeles School of Law (UCLA)
J. Edgar Elum	Fordham University School of Law

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Susan Ferrucci
Eliza Filipowski
Joshua Fitch
Martin Galvin
Jeffrey Gamils
Robert Georges
Tonya Green
Bridget Hamblin
Heather Hatcher
Frances Hopson
Jacob Kaplan
Joshua Kirshner
Bruce Kopp
Ryan Lawler
Victor Li
Ashley Maggio
Jennifer Marinaccio
Gina Martinez
Eldar Mayouhas
Samuel Meiowitz
L. Newton Mendys
Tama Monoson
Renee Montminy
Philip Oliveri
John Owens, Jr.
Liezl Pangilinan
Alexis Pimentel

St. John's University School of Law
Albany Law School
New England School of Law
Notre Dame Law School
St. John's University School of Law
New York Law School
Benjamin N. Cardozo School of Law
Hofstra University School of Law
Fordham University School of Law
Loyola University New Orleans School of Law
Fordham University School of Law
Brooklyn Law School
Temple University School of Law
Seton Hall University School of Law
Tulane Law School
Seton Hall University School of Law
St. John's University School of Law
St. John's University School of Law
Benjamin N. Cardozo School of Law
Benjamin N. Cardozo School of Law
American University, Washington College of Law
Pace University School of Law
Syracuse University College of Law
Syracuse University College of Law
Fordham University School of Law
Benjamin N. Cardozo School of Law
Hofstra University School of Law

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Hilary Poris

Leilani Rodriguez

Karen Saab

Trevor Saccente

Mariam Sanni

Javier Seymore

Jordana Shenkman

Carrié Solages

Carla Tesoro

Wendy Thomas

Raymond Valerio

Martha Vasquez

Ana Vizzo

Omer Wiczuk

Janelle Winston

Caryn Yukelson

Fordham University School of Law

Pace University School of Law

Benjamin N. Cardozo School of Law

Catholic University, Columbus School of Law

New York Law School

University of Tulsa College of Law

George Washington University Law School

Boston College Law School

Albany Law School

Columbia University School of Law

Temple University School of Law

New York Law School

Fordham University School of Law

New York University School of Law

Fordham University School of Law

Benjamin N. Cardozo School of Law

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— PRESS RELEASE —

Wednesday, September 8, 2004

**BRONX DISTRICT ATTORNEY ANNOUNCES THE BEGINNING OF THE
PROSECUTION CLINIC**

Bronx District Attorney Robert T. Johnson announced today that seven students from St. John's University School of Law will Begin participating in the Bronx DA's annual Prosecution Clinic on Thursday, September 9, 2004. The prosecution clinic consists of approximately 12 – 15 hours a-week of office / court work, as well as weekly seminars at the law school.

Students assigned to the Appeals Bureau are: Ted Debonis, Joseph P. DePaola, and Katherine Ruzenski. These students will work under the supervision of Assistant District Attorney Joseph Ferdenzi, Chief of Appeals, and Assistant District Attorney Nancy Killian, Deputy Chief of Appeals, during their office time. Assistant District Attorney Joseph McCormack, Deputy Chief, Criminal Court Bureau, will be responsible for their out-of-office training. These students will handle a variety of felony and misdemeanor appeals. Where appropriate, they will assemble or supplement the record on appeal. They will read and analyze the record on appeal and the defendant's brief, crystallize the issues and the legal approach to the issues, research the law and write the brief. The students' names will appear on the briefs. The students will also assist in the preparation of the oral arguments and will be present during the oral arguments. They will not be permitted to make oral arguments.

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Students assigned to the Criminal Court Bureau are: Carl A. Benincasa, Jennifer L. Hard, Christopher F. Holbrook, and Nicole L. Krysinski. These students will be under the supervision of ADA Joseph McCormack. They will be responsible for a case load of misdemeanor prosecutions in Bronx Criminal Court through all stages of the criminal process – interviewing witnesses, drafting accusatory instruments, drafting responses to motions, negotiating with defense counsel, court appearances, pre-trial hearings and bench and/or jury trials.

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— PRESS RELEASE —

Friday, September 10, 2004

**A FORMER FINANCE DIRECTOR FOR A NOT FOR PROFIT SERVICE
ORGANIZATION HAS BEEN CHARGED WITH STEALING MORE THAN \$100,000
FROM THE GROUP WHICH ASSISTS AIDS PATIENTS AND THE HOMELESS**

Bronx District Attorney Robert T. Johnson announced today that a Bronx man whose job had been to “keep the books” for a not for profit service organization, has been charged with stealing more than \$100,000 from the group.

Peter Miranda, 37, a former bookkeeper for Unique People Services, along with an acquaintance, Raymond Jiminez, 57, have been charged with multiple counts of Grand Larceny in the 2nd, 3rd and 4th degrees, Criminal Possession of Stolen Property in the 2nd, 3rd and 4th degrees, Criminal Possession of a Forged Instrument in the 2nd degree and Falsifying Business Records in the 1st degree.

Unique People Services located at 4234 Vireo Avenue, the Bronx, provides a range of services for clients who are either homeless or suffering from AIDS.

It is alleged that Miranda, of 2141 Starling Avenue, the Bronx, and Jiminez, of 137 Van Cortlandt Avenue, Yonkers, “acting in concert,” stole more than \$105,000 from United People Services between January 18, 2001 and September 12, 2003. Both defendants are facing a maximum sentence of up to 15 years imprisonment if convicted of the most serious charge of

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Grand Larceny in the 2nd degree, a Class C felony offense.

Miranda, according to court papers, generated fraudulent checks drawn on an agency bank account on 98 separate occasions over a period of nearly three years. The checks ranging in amounts of between approximately \$800 and \$1000 were made payable to either Miranda, Jiminez or a third suspect who has not yet been charged. Most of the checks were cashed at a check cashing business on Metropolitan Avenue. It is alleged that Miranda destroyed the cancelled checks when he received the agency's monthly bank statements and changed the name of the payee in the agency's computer to make it appear as though the payments were made to clients or vendors. Miranda was fired when the scam came to light during an internal audit. Information from the audit was referred to the Bronx District Attorney's Investigations Division.

The case is being prosecuted by Assistant District Attorney Bert Oberlander of the Arson/Auto/Economic Crime Bureau.

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— PRESS RELEASE —

Friday, September 10, 2004

HOMICIDE CHARGE FILED IN THE DEATH OF A BRONX WOMAN
DURING A “SPIRITUAL CLEANSING RITUAL”

Bronx District Attorney Robert T. Johnson announced today that a 62 year old Bronx woman has been charged with homicide in the death of a 32 year old woman who had gone to the defendant’s apartment for a “ritual cleansing”.

A grand jury indicted Mildred Sanchez, of 51 North Street, the Bronx, on one count of Criminally Negligent Homicide in the death of Minerva Perez on February 24, 2004. Criminally negligent homicide is a Class E felony offense punishable by a maximum sentence of up to four years imprisonment.

Perez was killed during a ritual which involved the use of a candle, highly flammable Florida Water, and an alcoholic beverage. The victim was naked and bathing in the flammable liquid when it ignited. Perez sustained 2nd and 3rd degree burns over most of her body. The Medical Examiner ruled that her death was caused by a combination of the critical burns and a subsequent asthma attack that was triggered by the traumatic incident.

Sanchez surrendered today with her attorney and was arraigned late this afternoon before Acting State Supreme Court Justice Denis Boyle. She was released on her own recognizance and is scheduled to next appear in State Supreme Court, Part A on September 29, 2004.

Assistant District Attorney Nadia Chanza is prosecuting the case.

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— PRESS RELEASE —

Wednesday, September 15, 2004

**BROOKLYN MAN IS SENTENCED TO A TERM OF UP TO 239 YEARS
IMPRISONMENT FOR RAPING AND SODOMIZING NINE WOMEN IN THE BRONX
OVER A TEN YEAR PERIOD**

Bronx District Attorney Robert T. Johnson announced today that a 36 year-old Luis Acosta, of Brooklyn, has been sentenced to a term of up to 239 years imprisonment for multiple counts of rape, sodomy and escape, in connection with nine separate attacks against Bronx women over a ten-year period.

State Supreme Court Justice Dominic R. Massaro sentenced Acosta, of 1169 Flatbush Avenue, Brooklyn to a term of 185 2/3 to 239 years imprisonment. Acosta was found guilty last month of 14 counts of Rape in the 1st degree, 5 counts of Sodomy in the 1st degree and 1 count of Escape in the 1st degree, in the rapes of nine Bronx women.

The series of incidents in which Acosta was convicted, covers a crime spree that began on December 1, 1993 and ended on February 26, 2002. The victim's of the sexual attacks ranged in age from 13 to 58. All but two of the attacks were at knifepoint; five of the victims were choked into unconsciousness. The attacks occurred on rooftops, apartments and alleyways, between the hours of 5:00AM and 9:00PM. Acosta, who never covered his face during the attacks, was also linked to all the victims by DNA evidence.

Six weeks after repeatedly raping and sodomizing his last victim, a 13 year-old girl,

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Acosta approached the victim on the street and asked her if she was pregnant. The incident was reported and the girl was placed under police surveillance. When Acosta again approached the girl on May 6, 2002, he was immediately apprehended by the police. During questioning, a DNA sample was obtained from Acosta who later escaped and remained at large until detectives tracked and apprehended him in November 2002.

Acosta is still awaiting trial in connection with charges involving attacks in Queens and New York Counties.

Senior Investigative Assistant District Attorney Astrid A. Borgstedt, of the Child Abuse / Sex Crimes Bureau and Amy E. Larson of the Domestic Violence Bureau prosecuted this case.

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— PRESS RELEASE —

Thursday, September 16, 2004

BRONX WOMAN IS CONVICTED ON CHARGES OF ROBBERY

Bronx District Attorney Robert T. Johnson announced today that a 33 year-old Bronx woman has been convicted of the gunpoint robbery of a 14 year-old girl.

Catherine Johnson, of 1129 East 221st Street, was convicted following a bench trial, on one count of Robbery in the 1st degree, a class "B" felony offense. Johnson is facing a term of up to 25 years imprisonment when she appears before State Supreme Court Justice Caesar Cirigliano for sentencing on Wednesday, October 6, 2004 in Part T5.

The incident took place on September 17, 2002, when Johnson approached the 14 year-old victim as she walked along Davidson Avenue, and pulled her into a building. Once inside the building Johnson held a gun to the victim's head and demanded her jewelry. Johnson snatched the jewelry valued at approximately \$200 and fled.

After reporting the incident to the police, the victim identified Johnson as her assailant from a photo array and subsequent line-up. The gun was recovered in the defendant's apartment.

Assistant District attorney Troy A. Smith of the Trial Bureau is prosecuting this case.

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— PRESS RELEASE —

Wednesday, September 22, 2004

**NEW YORK CITY POLICE OFFICER CONVICTED OF SUBMITTING
PHONY DOCUMENTS TO PARKING VIOLATIONS BUREAU IN ORDER TO AVOID
PAYING FINES ON PARKING TICKETS**

Bronx District Attorney Robert T. Johnson announced today that a 37 year old Bronx man, who until earlier this week was a New York City Police Officer, has been convicted of one count of Offering a False Instrument for Filing in the 1st degree, a Class "E" felony offense.

Patrick Brown pled guilty to the single count before Acting State Supreme Court Justice Steven Barrett who set sentencing for Monday, November 15, 2004 in Part M60. Under terms of the plea agreement Brown, who resigned from the NYPD last Tuesday, will be sentenced to five years probation.

Brown's conviction stems from half a dozen Administrative Law Hearings at the Parking Violations Bureau, from 1999 through 2000, regarding summonses for parking tickets that were issued to his car. Brown, on each occasion, told the judge that he had been forced to park illegally because his car had stopped running and had to be pushed to the side of the road until arrangements were made to have it towed and repaired. As proof of his testimony, Brown would produce a copy of an invoice from a service station for towing and repairs which resulted in a dismissal of the summons.

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The matter was referred to the New York City Department of Finance for investigation when the pattern of dismissals aroused the suspicion of one of the Administrative Law Judges. Investigators followed the paper trail to the R&M Auto Service Center at 1225 East 233rd Street, the Bronx. The owner denied that the receipts had been issued by his business. Investigators further learned that in some instances, the defendant had submitted copies of the same receipt to the Parking Violations Bureau after altering the date on which he had received a particular summons. The Department of Finance then referred the matter to the Bronx District Attorney's Office and the NYPD's Internal Affairs Bureau.

The case is being prosecuted by Senior Trial Assistant District Attorney Donald Levin of the Investigations Division.

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— PRESS RELEASE —

Friday, September 24, 2004

**FORMER SCHOOL TEACHER IS SENTENCED TO UP TO 7 YEARS
IMPRISONMENT FOR SODOMY AND SEXUAL ABUSE OF YOUNG STUDENTS**

Bronx District Attorney Robert T. Johnson announced today that a former New York City public school teacher has been sentenced to a term of up to seven years imprisonment for sodomizing and sexually abusing three young boys.

Gary Coleman, 52, of 1350 Webster Avenue, the Bronx, was found guilty last month of two counts of Sodomy in the 2nd degree, four counts of Sexual Abuse in the 2nd degree, and three counts of Endangering the Welfare of a Child.

State Supreme Court Justice Margaret Clancy sentenced Coleman to concurrent terms of 2 1/3 to 7 years imprisonment on the sodomy charges and 1 year in jail on each of the charges of sexual abuse and endangering the welfare of a child. Once Coleman is released from prison, he must register as a sex offender.

The incidents of sodomy and sexual abuse occurred between January 1, 2003 and May 31, 2003, either in the defendant's classroom at Intermediate School 158 or in his office at a community center at Webster and Clermont Avenues, where he coached all three boys on a neighborhood basketball team. Coleman, a mathematics teacher, also coached the school basketball team and taught math to two of the victims. Coleman paid the victims, a 12 year old boy and two 14 year old boys, amounts ranging from \$20 to \$200 for sexual favors.

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The crimes came to light during a basketball game in June 2003 when the boys told Coleman that they were going to play on another team. Coleman became upset and began yelling at the boys in such an abusive manner that the coach for the opposing team became concerned and questioned the boys about the reason for Coleman's behavior. The incidents were reported to the Special Commissioner of Investigation for the New York City School District who looked into the allegations and referred the matter to the Bronx District Attorney's Office for prosecution.

The case was prosecuted by Assistant District Attorney Scott Anderson of the Child Abuse / Sex Crimes Bureau.

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— PRESS RELEASE —

Tuesday, October 5, 2004

**NEW YORK CITY CORRECTION OFFICER CONVICTED OF PETIT
LARCENY FOR HIS ROLE IN THE THEFT OF ARTWORK BY SALVADOR DALI**

Bronx District Attorney Robert T. Johnson announced today New York City Correction Officer Gregory Sokol has been convicted of petit larceny for his role in the theft of valuable artwork by the Surrealist painter Salvador Dali.

Sokol, 39, of Staten Island, pled guilty to a sole count of Petit Larceny, a Class A misdemeanor offense, punishable by a maximum sentence of up to one year in jail. However as a result of his cooperation during the investigation of the theft, Sokol, will be sentenced to three years probation and fined one thousand dollars. Sokol also will have to resign his job with the New York City Department of Correction. Acting State Supreme Court Justice Steven Barrett set sentencing for Monday, November 22, 2004 in Part M60.

Sokol is the third Department of Correction employee to be convicted in connection with the theft. A former Assistant Deputy Warden at the City jail on Rikers Island, Mitchell Hochhauser was convicted of Attempted Grand larceny in the 2nd degree and sentenced to a term of one to three years imprisonment. Former Correction Officer Timothy Pina was convicted of Grand larceny in the 3rd degree and sentenced to five years probation. A fourth suspect, former Assistant Deputy Warden Benny Nuzzo was acquitted in June 2003 following a month long trial.

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The stolen artwork had been on display in a public area near the entrance of the Eric M. Taylor Detention Center on Rikers Island. The untitled work had an appraised value of \$250,000 and was discovered missing on March 1, 2003. A copy had been substituted for the original “Dali” which the artist had donated to the Department of Correction in 1965 when illness prevented him from making a scheduled visit to Rikers Island.

The still missing artwork is a gouache mixed media composition in India ink and pencil on board, depicting the crucifixion of Christ. It measures 59 x 39 ½ inches and is in a carved, stained and glazed mahogany wood frame.

The defendants were charged following a three and a half month joint investigation with the New York City Department of Investigation.

The case is being prosecuted by Senior Trial Assistant District Attorney Donald Levin of the Investigations Division.

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— PRESS RELEASE —

Friday, October 8, 2004

**TESTIMONY VIA GROUND BREAKING USE OF LIVE TWO WAY
TELECONFERENCE TRANSMISSION LEADS TO THE CONVICTION OF ONE
TIME HOME CARE ATTENDANT FOR ASSAULTING ELDERLY FORMER CLIENT**

Bronx District Attorney Robert T. Johnson announced today that a 27 year old Bronx woman has been convicted of beating the elderly husband of an ailing woman who once had been under her care.

Juwanna Wrotten, of 2061 St. Raymond Avenue, the Bronx, was found guilty on one count of Assault in the 2nd degree in the beating of David Liebowitz, 85, on June 29, 2003. Assault in the 2nd degree is a Class D felony offense punishable by a maximum sentence of up to seven years imprisonment. State Supreme Court Justice Harold Silverman set sentencing for Thursday, November 4, 2004 in Part T-18.

The jury, which deliberated for four days, acquitted Wrotten of Assault in the 1st degree and Robbery in the 1st degree, "causing serious physical injury" but could not reach a verdict on a charge of Robbery in the 1st degree involving the "use or threat to use a dangerous instrument."

District Attorney Johnson said he would seek to retry the defendant on the unresolved robbery count in which deliberations ended in a hung jury.

The trial included the ground breaking first time ever use of live two way

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teleconferencing to hear testimony in a New York State Court. The court allowed the victim, Mr. Liebowitz, to testify via satellite after a hearing in which it was established that he was too frail to travel three thousand miles to New York in order to take the stand. Doctors testified that the elderly man's medical condition, as a result of injuries sustained during the attack, precluded him from returning to New York from California where he and his wife are now living with their children.

Mr. Johnson said: "Mr. Liebowitz was entitled to justice and we are gratified that we could be creative in ensuring that, without depriving the defendant of her constitutional rights."

The victim was beaten severely at his Kingsbridge Avenue apartment on June 29, 2003. Wrotten, who at one time had been a home attendant for the victim's wife, went to the Liebowitz' apartment under the guise of accompanying the elderly man to visit his wife who was in a rehabilitation care center. Liebowitz testified that he was in the kitchen removing something from the refrigerator when the defendant demanded money and struck him several times in the head with a hammer or blunt instrument. Wrotten allegedly fled with between \$100 and \$200. Liebowitz managed to drag himself to the front door where he yelled for help prompting a neighbor to call 911. Liebowitz was treated for four lacerations to the back of his head, one laceration to the front left side of his head and two fractured fingers on his left hand.

Assistant District Attorney Earamichia Brown, of the Arson / Auto / Economic Crime Bureau is prosecuting the case.

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— PRESS RELEASE —

Tuesday, October 12, 2004

BRONX MAN FACING LIFE IMPRISONMENT WITHOUT PAROLE FOR
MURDERING THREE OF HIS NEIGHBORS IN THE AFTERMATH OF LONG
RUNNING DISPUTE OVER NOISE

Bronx District Attorney Robert T. Johnson announced today that a 29 year old Bronx man is facing a maximum sentence of life imprisonment without the possibility of parole for murdering three of his neighbors.

Corey Gamble, of 1995 Birchall Avenue, was found guilty of Murder in the 1st degree and Murder in the 2nd degree in the deaths of Eunice Younger, 75, and her two adult children, Gloria Watson, 53, and Ricky Younger, 44. Gamble was convicted following two days of deliberations.

The victims were shot to death on Saturday, March 15, 2003 shortly after four o'clock in the afternoon. The deceased all lived in the apartment above the defendant's residence and were pronounced dead at the scene as a result of gunshot wounds to the head.

The fatal shootings were the culmination of a long running dispute between Gamble and the deceased over noise

Acting State Supreme Court Justice Martin Marcus set sentencing for Gamble for Thursday, November 4, 2004 in Part T13.

The case is being prosecuted by Assistant District Attorney Daniel McCarthy, Chief Trial Counsel and Director of Trial Training, and Assistant District Attorney Danielle Pascale.

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— PRESS RELEASE —

Friday, October 15, 2004

BRONX MAN CONVICTED OF FIRST DEGREE MURDER IN THE
“CONTRACT KILLING” OF A 21 YEAR OLD RETAIL SALES CLERK

Bronx District Attorney Robert T. Johnson announced today the conviction of a 25 year old man in the stabbing death of a Bronx woman whose body was not recovered until more than two and a half years after the murder was committed.

David Mundo, of 1654 Monroe Avenue, the Bronx, pled guilty to one count of Murder in the 1st degree in the brutal stabbing of Talina Bryant, a twenty one year old retail clothing store sales clerk. Bryant died of multiple stab wounds on September 5, 2000. State Supreme Court Justice Troy Webber set sentencing for Thursday, November 4, 2004 in Part M 40. The judge has indicated that the defendant will be sentenced to a term of 20 years to life imprisonment.

Bryant had been living in a basement apartment on Hull Avenue in the Norwood section of the Bronx, when was reported missing in December 2000. Detectives found traces of blood in the apartment but the victim's body was not recovered until Mundo was arrested and charged with the murder almost three years later. Mundo admitted killing Bryant and led detectives to the body which he had buried near Metro North Railroad tracks at 237th Street and Bullard Avenue. Bryant had been bound with duct tape, stabbed repeatedly, wrapped in plastic garbage bags and dumped.

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Mundo, in pleading guilty to the first degree murder charge, told the court that the victim's landlord had paid him to kill the woman and that he enlisted the assistance of a second suspect to help him get the job done. The unidentified landlord has never been charged because of insufficient evidence. Mundo's alleged accomplice, Gilbert Adames, 28, is still awaiting trial. Adames has also been charged with Murder in the 1st degree.

The case is being prosecuted by Assistant District Attorney Paul Rosenfeld.

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590-2234

— PRESS RELEASE —

Friday, October 15, 2004

**BRONX MAN FOUND GUILTY OF ROBBERY AND OTHER RELATED
CHARGES**

Bronx District Attorney Robert T. Johnson announced today that a 22 year-old Bronx man has been convicted of robbery and other related charges for robbing three young men between January and February of 2003.

A jury found Alexander Screehben, of 2741 Bronxwood Avenue , guilty of 2 counts of Robbery in the 1st degree, and 2 counts of Criminal possession of a weapon in the 4th degree, for the knifepoint robberies of Peter Everette, 21, Chevel Walters, 23, and Leon Johnson, 20.

State Supreme Court Justice Richard L. Price set sentencing for Wednesday, October 27, 2004 in Part T16. Screehben, a persistent violent felony offender, faces a maximum term of up to 50 years to life imprisonment.

The first robbery occurred on January 11, 2003, when Screehben and two unidentified men approached Everette, as he waited on the IRT #2 platform of the 225th Street train station, held a knife to Everette's face and demanded his coat, hat, CD player, metro card, and cell phone. Screehben and the two unidentified men acted in concert and snatched the items valued at \$356, and fled. Everette sustained a small laceration to his nose.

The second incident happened on January 24, 2003 at the same location around 12:40 AM, when Screehben approached Walters, and demanded his gray hooded sweatshirt. When Walters

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fought back, he was punched in his face and knocked to the ground. Screehben and two unidentified men acted in concert and took the sweatshirt and \$180 in cash before fleeing.

Detectives with the New York City Police Department's Intelligence Division of Bronx Transit District 12, noticed and emerging pattern and set up an undercover operation to apprehend the suspects. On February 1, 2003, at approximately 12:40 AM, plain clothes Police Officers Lourdes Rivera, and Suzanne Silva of Bronx Transit District 12, observed Screehben and two other men later identified as Markemm Nesmith, 19, and Junior Perrier, 23, robbing a third victim, Johnson.

Co-defendant Nesmith, of 1203 Westchester Avenue, pled guilty to 1 count of Robbery in the 1st degree on November 6, 2003. Under the terms of the plea agreement, Nesmith was sentenced to a determinate term of 6 years imprisonment. The second co-defendant Perrier, of 680 East 225th Street, is currently awaiting trial on the following charges: 1 count of Robbery in the 1st degree, 2 counts of Robbery in the 2nd degree, 1 count of Robbery in the 3rd degree, and 1 count of Criminal possession of a weapon in the 4th degree. If convicted of the most serious charge, Perrier faces a maximum term of up to 25 years imprisonment.

Following a brief confrontation with Screehben, Nesmith and Perrier, Sergeant Henry Lopez and Detective Wilfredo Camacho, assisted in the arrest of the three defendants. Three knives were recovered at the scene.

Assistant District Attorney Derek Lynton of the Trial Division prosecuted this case.

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— PRESS RELEASE —

Monday, October 18, 2004

BRONX MAN IS FOUND GUILTY OF MURDER

Bronx District Attorney Robert T. Johnson announced today that a 23 year-old Bronx man has been convicted of murder in the stabbing death of a 27 year-old Bronx man in July 2001.

A jury found Roberto Castellano, of 935 E. 163rd Street, guilty of Murder in the 2nd degree, "in a manner evincing a depraved indifference to human life", in the death of Rolando Gutierrez. Castellano faces a maximum of 25 years to life imprisonment when he appears before State Supreme Court Justice Caesar Cirigliano for sentencing on Thursday, November 4, 2004, in Part T5.

Co-defendant Jesus Flores, 26, of 775 Union Avenue, pled guilty on October 7, 2004, to Manslaughter in the 1st degree. Under the terms of the plea agreement, Flores will receive a determinate term of 11 years imprisonment when he appears for sentencing on Monday, October 25, 2004 in Part T5.

The fatal stabbing occurred in the early morning hours of July 1, 2001, as Gutierrez and his cousin Roberto Ramirez exited a restaurant on 154th Street and Melrose Avenue and were confronted by the defendants, who demanded that Gutierrez & Ramirez hand over their wallets. After exchanging a few words, a fight ensued and Gutierrez was stabbed six times.

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Assistant District Attorney Edward Dondes of the Trial Division is prosecuting this case.

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— PRESS RELEASE —

Wednesday, October 20, 2004

**JURY CONVICTS A MANHATTAN MAN ON MURDER, ROBBERY AND
OTHER RELATED CHARGES**

Bronx District Attorney Robert T. Johnson announced today that a 30 year-old Manhattan man has been convicted of murder, robbery and other related charges for the shooting deaths of two young men in November 2001.

A jury found Remulo Cepada aka "Gordo", of 65 Fort Washington Avenue, New York, guilty of 2 counts of Murder in the 2nd degree, 1 count of Robbery in the 1st degree, 1 count of Reckless endangerment in the 1st degree, Criminal Possession of Stolen Property in the 3rd degree and Unauthorized use of a vehicle in the 3rd degree.

Cepada, a predicate felon, faces a maximum term of up to 82 years to life imprisonment when he appears before Acting State Supreme Court Justice Thomas Farber for sentencing on Wednesday, November 10, 2004 in Part T23.

Cepada gunned down his victims with a 22 caliber weapon as they drove along the service road of the Henry Hudson Parkway in a gold colored Camry on November 4, 2001. The defendant, a passenger riding in the back seat of the Camry, shot Jose Rosario, 22, and Luis Amadore, 20, in the head.

The jury heard testimony from three witnesses who were riding in a car directly behind

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the victim's vehicle which swerved out of control and crashed into a driveway on Graystone Avenue. Panagiotis Korkatzis, 20, testified that he was getting out of the second car, a Honda, to assist the crash victims, when the defendant jumped out the back seat of the first car and approached the driver of the Honda, Eric Kovacs, 20. Kovacs testified that Cepada ordered him out of the vehicle at gunpoint. Cepada jumped into the Honda as the two friends, Kovacs and Korkatzis, fled. Once inside of the Honda, Cepada noticed Alexia Augoustatos, 23, in the back seat and ordered her out of the car also.

Unable to drive the Honda, Cepada fled on foot. Later that day, while visiting his cousins' ex-boyfriend, Ricardo Fernandez, in Manhattan, Cepada stole Fernandez's vehicle, a 2002 Lancer. After eluding police for a little more than a month, the defendant was spotted on December 10, 2001, driving the stolen Lancer at 230th Street and Broadway in the Bronx.

Cepada led police on a high speed chase through the Bronx and upper Manhattan, endangering other motorists and pedestrians. The Lancer was found later that day abandoned at 207th Street and Sherman Avenue in Manhattan.

Detectives recovered various items from the Lancer indicating the defendant may have a connection to Miami, Florida. Officials for the Miami Dade police force were notified and the defendant was apprehended on January 29, 2002 at Miami motel.

This case is being prosecuted by Senior Assistant District Attorney Nancy Borko of the General Crimes Division.

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— PRESS RELEASE —

Monday, October 25, 2004

**MANHATTAN GRAFFITI ARTIST IS SENTENCED FOR PAINTING ON
PRIVATE PROPERTY WITHOUT OWNER'S PERMISSION**

Bronx District Attorney Robert T. Johnson announced today that graffiti artist James De La Vega has been sentenced for painting on the wall of a building housing a medical supply business without the owner's permission.

De La Vega, 32, of 119 East 102nd Street, Manhattan, was found guilty last July of one count of Attempted Criminal Mischief, one count of Attempted Making Graffiti, and one count of Possession of Graffiti Instruments.

After De La Vega apologized to the owner of the building, Criminal Court Judge Seth Marvin sentenced De La Vega to fifty hours of community service at the Point Community Center, at 940 Garretson Avenue. Failure to comply with the stipulations of this sentence will result in a thirty day in jail term.

The graffiti was painted shortly after midnight on July 17, 2003. A police officer observed De La Vega with a paint brush in his hand applying white paint to the medical supply company's wall located at 80 Bruckner Boulevard. When confronted, De La Vega told the officer that he was an artist and that he painted graffiti all over the city.

During his trial the defendant admitted that he did not have permission to paint on the

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wall. He also told the court that it was not his intention to damage the property which belonged to Borda Products, a medical supply company.

This case was prosecuted by Assistant District Attorney Karen Antoine.

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— PRESS RELEASE —

Monday, October 25, 2004

**JURY CONVICTS BRONX MAN OF SODOMY AND RELATED CHARGES
IN CONNECTION WITH THE 2002 ASSAULT ON TWO YOUNG GIRLS**

Bronx District Attorney Robert T. Johnson announced today that a 53 year-old Bronx man has been convicted on charges of sodomy and other related charges involving two young girls.

A jury found Harry Brooks, of 2010 Bruckner Boulevard, guilty of 2 counts of Sodomy in the 1st degree, 3 counts of Sexual abuse in the 1st degree and 2 counts of Endangering the welfare of a child for the July 2002, assault of two young girls, six and eight years of age.

In a separate trial last December, Brooks was convicted of two counts of Endangering the welfare of a child, stemming from an attack on two other pre-pubescent girls in August 2002. In that incident, Brooks was also charged with two counts each of Attempted Robbery in the 2nd and 3rd degrees, and 2 counts each of Assault in the 2nd and 3rd degrees, in which there was a hung jury.

In that case, Brooks followed two young girls, nine and ten year-old cousins, into the elevator of their apartment building and prevented them from leaving the elevator. After demanding money, Brooks also hit the girls "on or about the face and body with his hands" causing the victims to suffer bruises and substantial pain. In his attempt to flee, the defendant

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fell down a set of stairs, and broke his ankle. The defendant was apprehended at the scene. A sentencing date has yet to be set.

Brooks, a mandatory persistent violent felony offender faces a maximum term of fifty years to life imprisonment, when he appears before Acting State Supreme Court Justice Barbara Newman for sentencing on Wednesday, November 10, 2004 in Part T15.

Brooks' latest conviction is the result of an assault which occurred on July 30, 2002, when the defendant lured two young victims up to the rooftop of their apartment building. Once on the rooftop, Brooks hit the eight year-old girl with his hands, and ordered each victim to undress. Brooks sodomized both victims before they could escape. After the victim's escaped, they reported the incident to their family members who called the police. Brooks fled and remained at large until the August 5, 2002 incident. Brooks was identified by his victims in a line-up.

This case is being prosecuted by Assistant District Attorney Astrid Borgstedt of the Child Abuse / Sex Crimes Bureau.

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— PRESS RELEASE —

Thursday, October 28, 2004

CHARGES FILED IN BEATING OF COURT OFFICER

Bronx District Attorney Robert T. Johnson announced today that two young Bronx men, one of whom was shot by an off duty court officer last April, have been charged with assaulting the officer.

Barry McManus, 17, of 1535 Taylor Avenue, and Ezekiel Cruz, 19, of 1131 Longfellow Avenue, have been charged with one count of Assault in the 3rd degree, in the beating of Ranji Singh, a 33 year old Housing Court Officer who was off duty when the alleged attack occurred. If convicted, the defendants face a term of up to one year in jail.

The misdemeanor assault charges were filed following a six month investigation by the New York City Police Department and Bronx District Attorney's Office into the circumstances of the incident. The grand jury, after examining all of the available facts and the applicable law, including the defense & justification, declined to bring charges against the off duty court officer.

The incident occurred on April 22, 2004 in the Castle Hill section of the Bronx during a altercation involving Singh and a group of young people who were setting off fireworks. Singh was in the area to pick up his children from an after school program. He identified himself as a court officer and exchanged words with the young men concerning the danger of setting off the fireworks. As Singh attempted to get into his vehicle, McManus and Cruz allegedly began to

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punch and kick him. Singh withdrew his gun and fired, striking McManus twice, when the group of youths surrounded him. Singh drove immediately to the 43rd precinct to report the incident. There were no arrests in this case until charges were filed by the grand jury.

The case is being prosecuted by Supervising Assistant District Attorney Hannah Freilich of the Criminal Court Bureau.

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— PRESS RELEASE —

Thursday, November 4, 2004

BRONX MAN IS ARRAIGNED ON CHARGES OF ANIMAL CRUELTY

Bronx District Attorney Robert T. Johnson announced today that a 16 year-old Bronx man has been arraigned on charges of animal cruelty for killing two female Staffordshire terriers, also known as "pit bull terriers" last August.

Ricardo Plasencia, of 970 Boston Road, was indicted last September 16, 2004, on two counts of Aggravated cruelty to animals, a class "E" felony offense, under the Agriculture and Markets Law §353A Sub 1. Plasencia was arraigned before Acting State Supreme Court Justice John N. Byrne in Part A. If convicted, the defendant faces a maximum term of up to four years imprisonment.

The incident occurred during the early morning hours of August 31, 2004, when the defendant allegedly led his two pit bull terriers to a secluded location within Charlton Garden Park, and beat the dogs to death with a large tree branch.

Based on an investigation conducted by the ASPCA Humane Law Enforcement Unit, and statements made by the defendant, the defendant was arrested and charged with the crime.

Assistant District Attorney Kiran C. Vashista of the Investigations Bureau is prosecuting this case.

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— PRESS RELEASE —

Friday, November 5, 2004

BRONX MAN PLEADS GUILTY TO ASSAULT

Bronx District Attorney Robert T. Johnson announced today that a 30 year-old Bronx man has been convicted of assaulting a nurse in a Bronx hospital in March 2002.

Andre Jeffries, also known as "Jerry Miles", of 1704 Morris Avenue, has pled guilty to one count of Assault in the 2nd degree, in the beating of Charina Adamos, a nurse at Bronx Lebanon Hospital. Under the terms of the plea agreement, State Supreme Court Justice Martin Marcus will sentence Jeffries, a mandatory persistent violent felony offender, to a term of 14 years to life imprisonment, on Monday, November 29, 2004 in Part T13.

The incident occurred on March 2, 2002 at approximately 6:00 AM, in the emergency room at Bronx Lebanon Hospital. Jeffries, who was hiding when the victim walked in, closed the door and demanded money while grabbing the victim's smock. Jeffries struck Adamos in her face and head repeatedly with his fists.

When Adamos began to scream, Jeffries stuck his hands down the victim's throat ripping her soft pallet and tonsils. As he got ready to leave, he kicked Adamos in the stomach, head and chest. The victim required surgery to repair her injuries and was hospitalized for five days. As a result of this attack Adamos sustained permanent damage to her throat.

A physician and a Police Officer saw Jeffries as he left the room with blood on his hands

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and shirt. Jeffries screamed out that someone was hurt and attempted to flee. He was apprehended a few moments later.

This case is being prosecuted by Senior Trial Assistant District Attorney Michele Rodney of the Trial Bureau.

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— PRESS RELEASE —

Friday, November 19, 2004

**BRONX MAN IS SENTENCED TO A TERM OF LIFE WITHOUT PAROLE FOR
THE SHOOTING DEATHS OF NEIGHBORS**

Bronx District Attorney Robert T. Johnson announced today that Acting State Supreme Court Justice Martin Marcus, has sentenced Corey Gamble, 29, to a term of life imprisonment without the possibility of parole for the deaths Gloria Watson, 53, and Ricky Younger, 44, and a term of 25 years to life for the death of Eunice Younger, 75.

Gamble, of 1995 Birchall Avenue, was convicted last month on charges of two counts of Murder in the 1st degree, and one count of Murder in the 2nd degree.

The murders occurred on Saturday, March 15, 2003 shortly after four o'clock in the afternoon. All three victims, who had lived in the apartment above the defendant's residence, were pronounced dead as a result of gunshot wounds to the head.

The fatal shootings were the culmination of a long running dispute between Gamble and the deceased over noise.

This case was prosecuted by Assistant District attorney Daniel McCarthy, Chief Trial Counsel and Director of Trial Training, and Assistant District Attorney Danielle Pascale.

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— PRESS RELEASE —

Tuesday, November 23, 2004

**EIGHTEEN YEARS IN PRISON FOR PEDOPHILE FOR SEXUALLY ABUSING
A SIX YEAR OLD BOY IN A RITE AID DRUG STORE**

Bronx District Attorney Robert T. Johnson announced today that a 36 year old Bronx man with a long history of sexually abusing young children, has been sentenced to 18 years in prison for molesting a six year old boy last Spring.

Vinerio Franceschini, of 890 Garrison Avenue, the Bronx, pled guilty on November 5, 2004 to four counts of Sexual Abuse in the 1st degree, for molesting a six year old boy in a Rite Aid drug store last May.

Acting State Supreme Court Justice Steven Barrett sentenced Franceschini to consecutive terms of fourteen years imprisonment for the sexual abuse of the six year old boy, and four years imprisonment for violating probation in connection with an unrelated conviction in 2003 for Attempted Sexual Abuse in the 1st degree. In that case, Franceschini was sentenced to ten years probation for trying to abuse a seven year old girl. Judge Barrett sentenced Franceschini to serve a total of eighteen years imprisonment. The defendant was sentenced as a "second child sexual assault felony offender" which under Megan's Law provides for stiffer penalties for sexual predators. Franceschini was also convicted in 1991 of sexually abusing a seven year old boy who was his next door neighbor. Franceschini received six months in jail and five years probation

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for that crime.

Franceschini's most recent crime occurred in the middle of the afternoon on May 13, 2004 in a Rite Aid Drug Store at 950 Southern Boulevard in the Hunts Point section of the Bronx. The young victim was in the store with his grandmother and was accosted when he wandered off to another aisle to look at toys. The defendant placed his hands inside the child's pants and underwear and fondled him before pulling down the garments and placing his mouth on the boy's buttocks. Surveillance equipment in the store recorded the incident.

The case was prosecuted by Assistant District Attorney Johanna Hernandez.

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— PRESS RELEASE —

Tuesday, November 23, 2004

**ONE TIME HOME CARE ATTENDANT SENTENCED TO FIVE YEARS
IMPRISONMENT FOR ASSAULTING AN ELDERLY FORMER CLIENT**

Bronx District Attorney Robert T. Johnson announced today that a 27 year old Juwana Wrotten, a former home care attendant, has been sentenced to five years imprisonment for beating the elderly husband of a woman who had once been under her care. Sentence was imposed by State Supreme Court Justice Harold Silverman.

Wrotten, of 2061 St. Raymond Avenue, was convicted on October 8, 2004 of Assault in the 2nd degree in the beating of 85 year old David Liebowitz, on June 29, 2003. The jury, which deliberated for four days, acquitted Wrotten of Assault in the 1st degree and Robbery in the 1st degree, "causing serious physical injury" but could not reach a verdict on a charge of Robbery in the 1st degree involving the "use or threat to use a dangerous instrument."

District Attorney Johnson said he would seek to retry the defendant on the unresolved robbery count in which deliberations ended in a hung jury.

The trial included the ground breaking first time ever use of live two way teleconferencing to hear testimony in a New York State Court. The court allowed the victim, Mr. Liebowitz, to testify via satellite after a hearing in which it was established that he was too frail to travel three thousand miles to New York in order to take the stand. Doctors testified that

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the elderly man's medical condition, as a result of injuries sustained during the attack, precluded him from returning to New York from California where he and his wife are now living with their children.

Mr. Johnson said: " Mr. Liebowitz was entitled to justice and we are gratified that we could be creative in ensuring that, without depriving the defendant of her constitutional rights."

The victim was beaten severely at his Kingsbridge Avenue apartment on June 29, 2003. Wrotten, who at one time had been a home attendant for the victim's wife, went to the Liebowitz' apartment under the guise of accompanying the elderly man to visit his wife who was in a rehabilitation care center. Liebowitz testified that he was in the kitchen removing something from the refrigerator when the defendant demanded money and struck him several times in the head with a hammer or blunt instrument. Wrotten allegedly fled with between \$100 and \$200. Liebowitz managed to drag himself to the front door where he yelled for help prompting a neighbor to call 911. Liebowitz was treated for four lacerations to the back of his head, one laceration to the front left side of his head and two fractured fingers on his left hand.

Assistant District Attorney Earamichia Brown, of the Arson / Auto / Economic Crime Bureau is prosecuting the case.

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— PRESS RELEASE —

Friday, December 3, 2004

BRONX MAN IS ARRESTED AND CHARGED WITH EMBEZZLEMENT

Bronx District Attorney Robert T. Johnson announced today that a 35 year-old former administrative assistant, has been arrested and charged with allegedly embezzling approximately \$74,000 from his employer, Argus Community Incorporated.

Keir Jeffers, of 614 St. Nicholas Avenue, Manhattan, has been charged with 1 count of Criminal possession of stolen property in the 2nd degree, 1 count of Grand larceny in the 2nd degree, both class "C" felony offenses, and 1 count of Falsifying business records in the 1st degree, a class "E" felony offense. If convicted of the most serious charges, Jeffers would be facing a term of up to 15 years imprisonment. Jeffers was released on his own recognizance and ordered to return to court on Wednesday, January 12, 2005, in Part A.

It is alleged that Jeffers, who had complete control of the payroll system, embezzled a total of \$73,677.48 between August 2003 and January 2004. The scheme began to unravel when Jeffers allegedly gave himself a \$5,000 retro-active pay increase, which triggered an internal investigation. Argus Community Incorporated hired J. H. Cohn Accountants and Consultants to conduct an audit. Auditors discovered that Jeffers had misappropriated payroll funds by manipulating the direct deposit payroll data. Jeffers would allegedly issue checks in his name and the names of current and former employees, and use two different personal Citi bank

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accounts.

Mr. Johnson thanked Richard Weiss, Executive Director, of Argus Community Incorporated and representatives from J.H. Cohn, for their help with this case. Mr. Johnson also acknowledged the hard work of Bronx Detective investigator Joseph Iodice and David Lasky of the Investigations Bureau.

Assistant District Attorney Kiran Vashishta of the Arson / Economic Crime Bureau is prosecuting this case.

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— PRESS RELEASE —

Tuesday, December 7, 2004

BRONX MAN IS SENTENCED TO A TERM OF UP TO LIFE IMPRISONMENT

FOR THE 2002 MURDER OF A BRONX YOUTH

Bronx District Attorney Robert T. Johnson announced today that 23 year-old Shawn Green, has been sentenced to a term of up to life imprisonment for the shooting death of 16 year old Darryl Jawan Hayes, and the attempted murder of Duwayne Cousins, 16, in February 2002.

Green, of 1324 Oakley Street, was found guilty last October, of 1 count of Murder in the 2nd degree, and 1 count of Attempted Murder in the 2nd degree.

Acting State Supreme Court Justice Megan Tallmer, sentenced Green, a predicate felon, to consecutive terms of twenty-five years to life imprisonment on the charge of murder, and 15 years to life imprisonment on the charge of attempted murder. Green was also sentenced to a concurrent term of five years imprisonment for violating probation. Green must serve a minimum of forty years imprisonment before becoming eligible for parole.

The fatal shooting was a culmination of a daylong series of events on February 10, 2002. Green was on his way to work at a nearby Burger King, when he was hit by an egg thrown out of a window by the victims. When Hayes and Cousins came downstairs, Green confronted them and a fist fight ensued.

Angry because he lost the fight, Green went home, retrieved a gun and borrowed his

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mother's car. The defendant drove to the San Rafael Bodega, one of the victims' hangouts, at 3485 Boston Road, and waited inside.

As Hayes and Cousins entered the Bodega, Green shot Hayes three times in the chest and torso, then turned to Cousins and shot him once in the chest. The defendant fled, but was captured the next day at his home. Hayes died shortly after his arrival at Jacobi Medical Center. Cousins sustained permanent injuries to his right lung. A surveillance camera recorded the entire incident.

Assistant District Attorney Debra A. Guarnieri of the Trial Division prosecuted this case.

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— PRESS RELEASE —

Thursday, December 9, 2004

**DOCTOR GUILTY OF SEXUAL MISCONDUCT IN CONNECTION WITH
NON-CONSENSUAL ORAL SEX ACT PERFORMED ON A 49 YEAR OLD PATIENT**

Bronx District Attorney Robert T. Johnson announced today the conviction of a 42 year old doctor on one count of Sexual Misconduct in connection with non-consensual sexual activity involving a 49 year old patient.

Brian Shaw, of Wilton, Connecticut, pled guilty to the single misdemeanor count before Acting State Supreme Court Justice Steven Barrett who set sentencing for February 2, 2005 in Part M60. Under terms of the plea agreement, Shaw will be sentenced to six years probation, required to register as a sex offender, and will waive all rights to appeal his conviction. Shaw has already surrendered his license to practice medicine to the New York State Department of Health.

Shaw, who was a physician at Throggs Neck Urgent Medical Care on Tremont Avenue, admitted that he performed oral sex on a patient without his consent, on December 9, 2003. The 49 year old victim, a truck driver, went to the medical facility at 3495 East Tremont Avenue

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seeking treatment for a rash on his chest and legs. The defendant admitted placing his mouth on the victim's genitals during the examination.

Senior Trial Assistant District Attorney Robert Holdman is prosecuting this most recent case.

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— PRESS RELEASE —

Monday, December 13, 2004

**BRONX MAN IS SENTENCED TO TWENTY-TWO YEARS IMPRISONMENT
FOR THE ATTEMPTED MURDER OF AN ALLEGED RIVAL DRUG DEALER**

Bronx District Attorney Robert T. Johnson announced today that a 28 year-old Bronx man has been sentenced to twenty-two years imprisonment for the attempted murder of a 23 year-old alleged rival drug dealer.

A jury found Alex Gomez, of 204 West 179th Street, the Bronx, guilty on October 18, 2004, of Attempted Murder in the 2nd degree and Criminal possession of a weapon in the 2nd degree, for his role in the December 2003 shooting of Fitzgerald Donaldson. State Supreme Court Justice Phylis Skloot Bamberger sentenced Gomez to a determinate term of twenty-two years imprisonment.

The incident occurred on December 16, 2003, when Gomez approached Donaldson as he stood on the corner of East 183rd Street and Loring Place, and shot him as many as ten times. Gomez and Donaldson were involved in an ongoing turf dispute. Gomez fled the scene and was apprehended two days later. Donaldson survived the shooting, but is paralyzed from the chest down.

This case was prosecuted by Assistant District Attorney Lawrence D. Piergrossi of the Trial Bureau.

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— PRESS RELEASE —

Monday, December 13, 2004

BRONX MAN IS SENTENCED TO 25 YEARS IMPRISONMENT
FOR ROBBING TWO YOUNG MEN IN 2003

Bronx District Attorney Robert T. Johnson announced today that a 22 year-old Bronx man has been sentenced to a term of 25 years imprisonment for a series of knifepoint robberies of two young men between January and February 2003.

A jury found Alexander Screahben, of 2741 Bronxwood Avenue, guilty last October, of two counts of Robbery in the 1st degree, and Criminal possession of a weapon in the 4th degree.. State Supreme Court Justice Richard L. Price, sentenced Screahben, a predicate felony offender, to two consecutive terms of 12 ½ years imprisonment for the knifepoint robberies of Peter Everette, 21, and Chevel Walters, 23. Screahben was also sentenced to a concurrent term of one year imprisonment on the weapons charge. Screahben must serve a minimum of 25 years imprisonment before being considered for parole.

The first robbery occurred on January 11, 2003, when Screahben and two unidentified men approached Everette, as he waited on the IRT #2 platform at the 225th Street train station. Screahben held a knife to Everette's face and demanded his coat, hat, CD player, metro card, and cell phone. Screahben and unidentified accomplices snatched the items valued at \$356 and fled. Everette sustained a small laceration to his nose.

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The second incident occurred on January 24, 2003 at the same location around 12:40 AM, when Screehben approached Walters and demanded his gray hooded sweatshirt. When Walters resisted, he was punched in his face and knocked to the ground. Screehben and two unidentified accomplices took the sweatshirt and \$180 in cash before fleeing.

Detectives with the New York City Police Department's Intelligence Division of Bronx Transit District 12 noticed an emerging pattern and set up an undercover operation to apprehend the suspects. On February 1, 2003, at approximately 12:40 AM, plain clothes Police Officers Lourdes Rivera and Suzanne Silva of Bronx Transit District 12 observed Screehben and two other men, later identified as Markemm Nesmith, 19, and Junior Perrier, 23, robbing a third victim.

Co-defendant Nesmith, of 1203 Westchester Avenue, pled guilty to 1 count of Robbery in the 1st degree on November 6, 2003. Under the terms of the plea agreement, Nesmith was sentenced to a determinate term of 6 years imprisonment. The second co-defendant Perrier, of 680 East 225th Street, pled guilty to Criminal possession of a weapon in the 4th degree, a class "A" misdemeanor, and was sentenced to a conditional discharge.

Assistant District Attorney Derek Lynton of the Trial Division prosecuted this case.

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— PRESS RELEASE —

Tuesday, December 14, 2004

**BRONX MAN HAS BEEN CONVICTED ON ATTEMPTED MURDER AND
RELATED CHARGES**

Bronx District Attorney Robert T. Johnson announced today that a 20 year-old Bronx man has been convicted of attempted murder and assault charges for shooting a 40 year-old father of five.

A jury found Darren Felix, of 1500 Grand Concourse, the Bronx, guilty of one count each of Attempted Murder in the 2nd degree, Assault in the 1st degree and Criminal possession of a weapon in the 2nd degree, for the July 2003 shooting of Kantara Baragi.

Felix faces a maximum term of up to twenty-five years imprisonment when he appears before Acting State Supreme Court Justice Denis J. Boyle for sentencing on Wednesday, December 22, 2004 in Part T4.

The incident occurred on July 24, 2004 outside a McDonalds restaurant at 86 East 167th Street following an argument a few moments earlier inside the restaurant. Felix and an unidentified accomplice waited for Baragi to exit then attacked him. Baragi grabbed a construction tool and chased the defendant and his accomplice away before returning to the restaurant. When Baragi went back to the restaurant, the defendant and his accomplice returned and waited for Baragi to walk out.

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Witnesses testified that they saw Felix shoot Baragi twice before fleeing, only to be caught a short time later, hiding in a nearby building. Eyewitnesses and the victim identified Felix as the shooter. His accomplice was not apprehended or identified.

Baragi survived the shooting, but lost his right kidney, had a lacerated liver and diaphragm. Baragi was out of work for six months.

This case is being prosecuted by Assistant District Attorney Mary Jo Blanchard of the Trial Bureau.

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— PRESS RELEASE —

Tuesday, December 21, 2004

BRONX BASED AUTO SOUND AND SECURITY BUSINESS AND FOURTEEN
INDIVIDUALS INDICTED ON CHARGES OF ENTERPRISE CORRUPTION AND
OTHER OFFENSES INCLUDING AUTO THEFT AND INSURANCE FRAUD

Bronx District Attorney Robert T. Johnson announced today that fourteen people and an automobile sound and security business have been indicted on charges ranging from enterprise corruption to auto theft and insurance fraud.

Eleven of the defendants allegedly belong to a close knit ring of thieves specializing in auto theft and related crimes, and have been charged with enterprise corruption; Four other defendants are accused of participating in some of the criminal activities and profiting from their participation, but have not been charged with being part of the criminal enterprise which involved crimes that occurred in the Bronx, Manhattan, Brooklyn, Queens and Rockland County.

Mr. Johnson said that the 161 count indictment was the result of a three year long joint investigation by the Bronx District Attorney's Office, NYPD's Organized Crime Investigation Division, and the New York City Business Integrity Commission, formerly the Trade Waste Commission.

The defendants, according to the indictment, engaged in the systematic "theft, possession and dismantling of stolen vehicles" as well as the "distribution of the stolen vehicles and their

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dismantled component parts". An automobile sound and security shop at 2655 Webster Avenue, Auto Sports, Inc., was the nerve center of the alleged criminal enterprise. (The business is still operating at the same location under the same name but with new owners who have no connection to allegations resulting from this investigation.) Members of the "ring" allegedly conducted business from the shop and various abandoned lots that were converted into "chop shops" to dismantle vehicles. These locations were used to take orders for vehicle parts, dismantle vehicles, alter Vehicle Identification Numbers (VIN) on parts, rebuild motor vehicles using stolen parts, and also arrange for the disappearance of vehicles in connection with the filing of fraudulent insurance claims. The ring, during the course of the investigation, allegedly engaged in criminal activities involving mostly "high end" and luxury motor vehicles, a garbage truck, and a tractor trailer, with a total estimated value of more than three quarters of a million dollars.

In addition to the charge of Enterprise Corruption, the indictment also contains numerous counts of Criminal Possession of Stolen Property in the 2nd, 3rd, and 4th degrees, Grand Larceny in the 3rd, 4th and 5th degrees, and Criminal Mischief in the 2nd and 3rd degrees; multiple counts of Illegal Possession of a VIN (vehicle identification number), Sale of a Motor Vehicle or part with a changed VIN, and Forgery of a VIN; several counts of Insurance Fraud in the 3rd and 4th degrees, Falsifying Business Records in the 1st degree, and Unlawful Transfer or Disposal of Junk and Salvage Vehicles; and one count each of Arson in the 3rd degree, Criminal Possession of a Weapon in the 4th degree, Auto Stripping in the 1st degree, Auto Stripping in the 2nd degree,

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Criminal Possession of Forgery Devices, and Unlawful Possession of Radio Devices.

The most serious of the charges in the indictment, Enterprise Corruption, is a Class B felony offense punishable by a maximum sentence of up to 25 years imprisonment. The maximum sentences upon conviction on the remaining charges range from seven to fifteen years imprisonment.

The existence of this alleged “auto theft enterprise” came to light after investigators set up a sting operation which involved the creation of an undercover business. The detectives who ran the business were approached and offered an opportunity to purchase stolen trucks.

During the course of the investigation, detectives and prosecutors were assisted by court ordered wiretaps, surveillance cameras, hidden microphones, and a Global Positioning System satellite tracking device that was planted in a van that alleged members of the ring regularly used for transportation to and from car theft locations, chop shops and delivery locations for stolen car parts.

Investigators have identified the alleged ring leaders of the so-called Auto Sports Crew as Bronx residents Steven Lugo, 34, and Victor Estrella, 39. They are accused of overseeing the day to day activities of the criminal enterprise including the theft, storage, and illegal dismantling of stolen cars, and the sale and distribution of the component parts from the stolen cars. Among the alleged members of the ring were Stony Point, New York residents Adalberto Marty Jr., 35, and his wife, Carmen Marty, 38, the owners of Auto Sports, Inc. The indictment alleges that the corporate entity also was a member of the criminal enterprise in that its premises were used for

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illegal financial gain with the knowledge of and in concert with the accused couple.

Following is a list of all of the defendants:

Defendant	Date of Birth	Address	Top Count
Steven Lugo	8/5/1970	1901 Gleason Ave., Bx. N.Y.	Enterprise Corruption
Victor Estrella	4/4/1965	2005 Davidson Ave., Bx., N.Y.	Enterprise Corruption
Angel Morales	6/25/1971	301 East 193 rd Street., Bx., N.Y.	Enterprise Corruption
James Lugo	11/18/1966	422 47 th Street, Bklyn., N.Y.	Enterprise Corruption
Raymond Lugo	11/21/1963	422 47 th Street, Bklyn., N.Y.	Enterprise Corruption
Rene Cruz	10/9/1976	1373 Franklin Ave., Bx., N.Y.	Enterprise Corruption
Nicholas Bharat	12/24/1972	3325 Rombouts Ave., Bx., N.Y.	Enterprise Corruption
Juan Carlos	11/6/1975	299 Troutman Street, Bklyn., NY	Enterprise Corruption
Adalberto Marty, Jr.	4/2/1969	16 Wiles Drive, Stony Point, N.Y.	Enterprise Corruption
Carmen Marty	10/31/1966	16 Wiles Drive, Stony Point, N.Y.	Enterprise Corruption
Auto Sports, Inc.	Closed	2655 Webster Ave., Bx., N.Y.	Enterprise Corruption
Michael Nunez	4/11/1971	25 Kress Ave., New Rochelle, N.Y.	Criminal Possession of Stolen Property 2 nd Degree
Michael Rivera	1/27/1977	2516 Hone Ave., Bx., N.Y.	Criminal Possession of Stolen Property 3 rd Degree
Justino Lopez	11/3/1969	579 East 178 th Street, Bx., N.Y.	Insurance Fraud 3 rd Degree
Joshua Kaufman	9/18/1975	53 Stewart Place, Eastchester, N.Y.	Insurance Fraud 3 rd Degree

Among the defendants who allegedly worked with the ring but were not part of the larger

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criminal enterprise were Justino Lopez, a New York City bus driver, Michael Nunez, a New York City licensed tow truck operator, Michael Rivera, and Joshua Kaufman. Lopez and Rivera, Auto Sports customers, have been charged with insurance fraud. Lopez allegedly arranged to have his late model Chevrolet Avalanche “torched” in order to collect on a \$25,000 insurance claim filed with GEICO. The false nature of the claim was discovered before the company issued a check. It is alleged that Kaufman arranged to have his leased Acura Integra “disappear” in order to collect on a false insurance claim. Evidence of the fraudulent claim on which Nationwide Insurance paid \$14,000, was uncovered during the course of the investigation. Rivera allegedly arranged, with members of the criminal enterprise, to have minivans stolen in order to obtain replacement parts for a Mercury Villager that he had damaged in an accident. Nunez, the tow truck operator, has been charged with assisting members of the ring in delivering a stolen tractor trailer to the Bronx. The stolen vehicle, worth more than \$50,000, was delivered to undercover detectives.

District Attorney Johnson thanked the Organized Crime Investigation Division, New York City Police Department, Captain Alex Schapowal, Sgt. Michael Gerard, Det. Ruben DeLaConcha, and Det. Ramon Polanco (formerly of OCID currently assigned to the Joint Terrorism Task Force); the New York City Business Integrity Commission, Deputy Commissioner Thomas McCormack and commission staff members; Senior Bronx District Attorney Detective Investigator Larry Hinrichs; Assistant District Attorney Thomas Leahy, Chief, Rackets Bureau, and Senior Investigative Assistant District Attorney Todd Sherman. ADA Sherman is prosecuting the case.